TSD File Inventory Index

US EPA RECORDS CENTER REGION 5



Date: August 10, 2006
Initial: (Mares 12)

Facility Name: Kentine Steel	\$ 11/1s	ie Coopery	
Facility Identification Number: [LD 000]	5 214	- 88 <u>/</u>	
A.1 General Correspondence A.1.1 A.1.4, A.1.8 (3), A.1.6	A	B.2 Permit Docket (B.1.2)	
A.2 Part A / Interim Status	1	1 Correspondence	
.1 Correspondence	Х	.2 All Other Permitting Documents (Not Part of the ARA) Au B.d.	
.2 Notification and Acknowledgment	V	C.1 Compliance - (Inspection Reports) $\mathcal{O}_{\mathcal{A}}(\widehat{\mathcal{A}})$	2
.3 Part A Application and Amendments	1	C.2 Compliance/Enforcement O.2 (3)	
4 Financial Insurance (Sudden, Non Sudden)		.1 Land Disposal Restriction Notifications	
.5 Change Under Interim Status Requests		.2 Import/Export Notifications	
.6 Annual and Biennial Reports	,	C.3 FOIA Exemptions - Non-Releasable Documents	1,
A.3 Groundwater Monitoring		D.1 Corrective Action/Facility Assessment	
.1 Correspondence A, 3:1-A:3:5	1	.1 RFA Correspondence	
.2 Reports		.2 Background Reports, Supporting Docs and Studies	
A.4 Closure/Post Closure		.3 State Prelim. Investigation Memos	1
.1 Correspondence		4 RFA Reports	1,
.2 Closure/Post Closure Plans, Certificates, etc		D. 2 Corrective Action/Facility Investigation	
A.5 Ambient Air Monitoring		.1 RFi Correspondence	1
.1 Correspondence		.2 RFI Workplan D, 2, 2	1,
.2 Reports		.3 RFI Program Reports and Oversight	Ť
B.1 Administrative Record		.4 RFI Draft /Final Շերort	+
		5 RFI QAPP	1
	i	1	- 1

.6 RFI QAPP Correspondence	7	.8 Progress Reports	T
			<u>_</u> _
.7 Lab Data, Soil-Sampling/Groundwater	1	D.5 Corrective Action/Enforcement	
.8 RFI Progress Reports		.1 Administrative Record 3008(h) Order	
.9 Interim Measures Correspondence		.2 Other Non-AR Documents	
.10 Interim Measures Workplan and Reports		D.6 Environmental Indicator Determinations	
D.3 Corrective Action/Remediation Study		.1 Forms/Checklists	ı
.1 CMS Correspondence		E. Boilers and Industrial Furnaces (BIF)	
.2 Interim Measures		.1 Correspondence	
.3 CMS Workplan		.2 Reports ど、2	,
.4 CMS Draft/Final Report		F Imagery/Special Studies (Videos, photos, disks, maps, blueprints, drawings, and other special materials.)	
.5 Stabilization		G.1 Risk Assessment	
.6 CMS Progress Reports カ, まん (よ)	2	.1 Human/Ecological Assessment	
7 Lab Data, Soil-Sampling/Groundwater	9	.2 Compliance and Enforcement	
D.4 Corrective Action Remediation Implementation		.3 Enforcement Confidential	
.1 CMI Correspondence	1,	.4 Ecological - Administrative Record	
.2 CMI Workplan カ・イ・ン	,	.5 Permitting	
.3 CMI Program Reports and Oversight		.6 Corrective Action Remediation Study	
.4 CMI Draft/Final Reports り、 よ、 よ	ſ	.7 Corrective Action/Remediation Implementation	
.5 CMI QAPP		.8 Endangered Species Act	
.6 CMI QAPP Correspondence		.9 Environmental Justice	
1 Las Data - dois Lampury / screend water	+		\top

Note: Trans	smittal Letter to Be included with Reports.	
Commercin		

File: Cabot Corporate ILD 042 075 33. Vesuvius USA,	3	Folder Name/Folder Description			
ILD 185 338 38	1				
		Box 1 of 5			
ILD 042 075 333	(Folder #01)	A.3.4 Quarterly Assessment (1993-1994)			
ILD 042 075 333	(Folder #02)	A.3.4 Quarterly Assessment (1990-1992)			
ILD 042 075 333	(Folder #03)	A.3.4 Quarterly Assessment (1987-1989)			
ILD 185 338 381	(Folder #04)	A.4.1-A4.2 Correspondence/Plans (1989-1993)			
ILD 185 338 381	(Folder #05)	A.4.4 Impoundments Soil/Impoundment Closure (1992-1993)			
and the second		Box 2 of 5			
	(Folder #06)	A.3.4 Quarterly Tech. Memo/Technical Support Documents (1993-1997)			
ILD 000 714 881	(Folder #07)	A.3.4 Quarterly Tech Memo (1994)			
ILD 000 714 881	(Folder #08)	A.4.1-A.4.4 Correspondence/Sampling (1990-2001)			
ILD 000 714 881	(Folder #09)	A.4.2 Closure Plan (1995/1 of 2)			
ILD 000 714 881	(Folder #10)	A.4.2 Closure Plan (1995/2 of 2)			
		Box 3 of 5			
ILD 000 714 881	(Folder #11)	A.4.2-A.4.3 Closure Reports/Contract Doc./Closure Act. Report (1994-1996			
ILD 000 714 881	(Folder #12)	A.4.4 Closure Plan Modification (1997/1 of 2)			
ILD 000 714 881	(Folder #13)	A.4.4 Closure Plan Modification (1997/ 2 of 2)			
ILD 000 714 881	(Folder #14)	A.4.4 Closure Plan Phase I & II (1986-1995)/ Sampling Plan (1994-1996)			
		Box 4 of 5			
ILD 000 714 881	(Folder #15)	A.4.4 Closure Plan Phase II (June 1992/ 1 of 3)			
ILD 000 714 881	(Folder #16)	A.4.4 Closure Plan Phase II (June 1992/ 2 of 3)			
ILD 000 714 881	(Folder #17)	A.4.4 Closure Plan Phase II (June 1992/ 3 of 3)			
ILD 000 714 881	(Folder #18)	A.4.4 Closure Plan Phase II (Feb. 1992/ 1 of 3)			
ILD 000 714 881	(Folder #19)	A.4.4 Closure Plan Phase II (Feb. 1992/ 2 of 3)			
		Box 5 of 5			
ILD 000 714 881	(Folder #20)	A.4.4 Closure Plan Phase II (Feb. 1992/ 3 of 3)			
ILD 000 714 881	(Folder #21)	A.4.4 Closure Plan Phase II (1991/ 1 of 3)			
ILD 000 714 881	(Folder #22)	A.4.4 Closure Plan Phase II (1991/ 2 of 3)			
ILD 000 714 881	(Folder #23)	A.4.4 Closure Plan Phase II (1991/3 of 3)			

Case Conclusion Data Sheet

Please click here for instructions for completing the form

Progran Phone:	n Contact:	Jonathan Adenuga					
ORC At Phone:	torney:	Robert Guenther					
Status: ☐ Draft ☐ Final ☐ Update							
CASE E 1. 2. 3.	= -	Matter Number: ng Clerk Docket Number: et Number:		R8H-5-01-001			
4. *5.	Judicial Court D Case Name (Ad Additional Def	dd Defendants if other than case na	ime)	Keystone Consolidated Ind.			
FACILI	TY INFORMATION	ON					
6. *7. *8.	*7. Facility Name: Keystone Consolidated Inustries						
*9. 10.		NAICS/SICCode: 3312 AICS/SIC codes:					
STATU	. — -	ORIZING SECTION INFORMATIO	N				
*11.	*Media Progra		CRA				
*12.							
ACTIO	N TYPE						
*13.	Action Type:	Consent Decree or court order r	esolving a civ	ril judicial action			
*14. 14a.	ALJ Decision:	Complaint Issuance Date:					
14b.	EAB Appeal D			•			
14c. *15.	EAB Decision Final Administra	שמ נ: ative Penalty Order Issuance Date:					
*16. *16a.		Compliance Order Date:	12/19/20	000			
*16b.	Field Citation D	ate:					

Civil Judical Referral Date:

17.

18. 19. *20.	Consent Dec	Complaint Filed: ree Lodge Date: ree Entry Date:		1.	2/19/2000	
21.	Was this a m	oulti-media action?		○ Yes ●	No	
23. 24.		on part of a geograpl k all that apply)?	nic initiative:	○ Yes ●	No No	
24a. 25. 26. 26a. 27.	Is this a Sma Was this a se	ency activity taken in	○ Yes	No No No	al Justice Concer ○ Yes ●	
QUALI	TATIVE AND	QUANTITATIVE INF	ORMATION			
	nent/order and ements. Select	elief/Compliance Activ actions to be taken t t responses from the	oy violator to re	eturn to cor	mpliance or meet	additional
groun	ol all current i dwater at or t	cription of Injunctive I human exposure to from the facility by Ith and the environ	contamination	oand migr ovide final	ation to of conta corrective meas	ures necessary to
*30. figure)		ns described in previ				violator is preferred
Physic	al actions:	\$2,000,000.00	Non-P	hysical Acti	ions:	
31.	Acres in Viola	ation:				
32. questic	ons:	environmental impac	t of injunctive	relief/comp	liance actions des	scribed in previous
*Pollui	tant/Land Use	*Amount	*Units/Acres (Express in ann amounts)	ual (of	ercent% pollutant luced/removed)	*Media
	Volatile Organic unds (VOCs)					Ground Water, Sediment, Soil, Surface Water
-		<u> </u>				
		NVIRONMENTAL PR				
33.	33. Categories of SEP (check all the appropriate categories)					

12/20/2000

	Public I	Health					
	Pollution	n Prevention					
	☐ (1) equ	ipment technology	modifications				
	☐ (2) prod	cess/procedure mo	odification				
	☐ (3) prod	duct reformulation/	redesign				
	☐ (4) raw	material substituti	on				
	☐ (5) imp	roved housekeepii	ng/O&M/trainir	ng/inventory o	control		
		rocess recycling					
	, ,	rgy efficiency/cons	servation				
		n reduction					
		nmental restoration	n and protectio	n			
		ments and audits					
		nmental complianc	-				
	-	ency planning and	•				
	☐ Other S	SEP category (spe	сіту)				
	Does SEF	address any of th	e Region 5 Er	vironmental	Priorities		
	☐ Toxics	Reduction		Sedime	nt cleanup		
	☐ Brownf	ields Redevelopm	ent	☐ Ozone	air quaility standard	ls attainment	
	Enviror	nmental justice		☐ Critical	habitat protection a	and restoration	
34.	SEP Desc	cription:					
	5 July 20 10 10 10 10 10 10 10 10 10 10 10 10 10	page 19 19 19 19 19 19 19 19 19 19 19 19 19	***************************************			inter parties of the control of the	* * * 1
		The state of the s					
35.	Cost of SI	EP (Cost Calculate	ed by the PRO	JECT Model	is preferred):		
36.	Quantitati	ve environmental i	mpact of SEP:	pollutants a	nd/or chemicals an	d/or waste strear	ns and
		ons/eliminations (e					
Pollu	utant	Amount	Units	 	Percent%	Media	
					(of pollutant		İ
					reduced/removed)		
 							
PEN	ALTY						
37.	Proposed	Penalty:					
38.	Assessed	Penalty:					
39.	If Shared	Federal Share:					
40.	If Shared	State or Local Sha	ire:				
41.	For multi-ı	media actions: Fe	deral amounts	by Statute			

Statute	Amount
CAA HILL SEEDING SEEDING SEEDING	PART AND LOCAL TRANSPORTER TO THE
CERCLA	
CWA 402	
CWA 311	
CWA 404	
EPCRA 304/312/325	
EPCRA 313	
FIFRA	
RCRA	
RCRA/UST	
SDWA/UIC	
TSCA	Agent agent and a second agent

COST RECOVERY (SUPERFUND ONLY)

42. Amount of cost recovery award:

State and/or Local government:

Other:

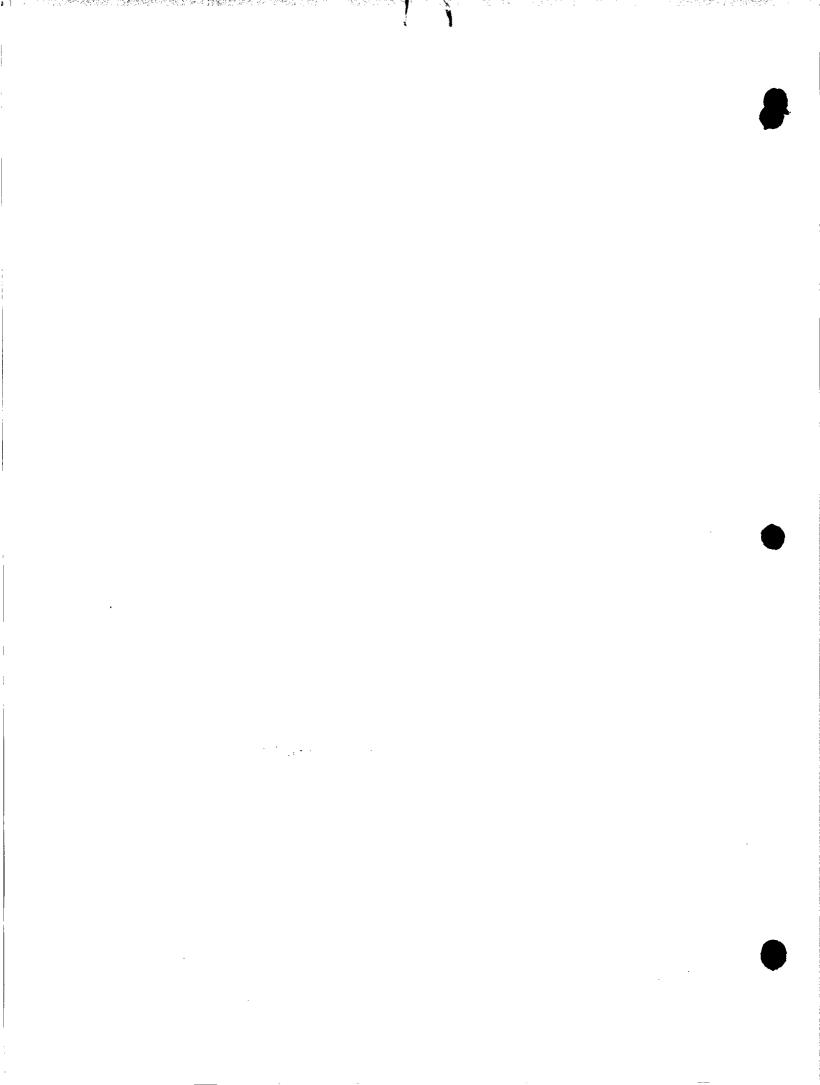
*PLEASE ADD ADDITIONAL INFORMATION, INCLUDING SHORT CASE SUMMARY:

This facility manufactures iron and steel including semi-finished and finished wire products, producing hot rolled iron and steel. The facility has operated the site since around 1900 and consists of approximatelt 1410 acres. The facility has managed numerous hazardous waste streams. An RFA and sampling activities conducted at the facility have shown that release have ocurred from several of the units.

DOCUMENT HISTORY

RCRA CONSENT AGREEMENT AND FINAL ORDER SIGN-OFF

PART I	BACK	KGROUND					
	Facility Name Key Stone Consolidated Industries						
	Facilit	y EPA ID Number 1	000 7	114 88	<u>' </u>		
	Docke	t Nmber					
	ECAB	Assignee/Phone Jonanan	A. ORC	Assignee/Pho	one Suc	wher R.	
		ary of Agreement					
			<i>*</i>				
PART II	CONC	CURRENCES ON PROPOS	ED CAFO (P	ROPOSAL	NO)	
	1.	ECAB Assignee	Initials J.O.A	Date 11/1/60	Agree		
	2.	Chief, ECAB Section	SIA	11/1/00	<u> </u>		
	3.	Asst. Regional Counsel	CFA	11/1/00	/	 	
	4.	Chief, ECAB	AMZ	11/3/00			
PART III COPIES OF I		URN TO ORC ASSIGNEE F TO RESPONDENT.	OR TRANS	MITAL OF	TWO OF	UGINAL	
PART IV COPIES OF E		L CAFO APPROVAL, AFT SED CAFO	ER RESPON	DENT HAS	SIGNEI) вотн	
	1.	ECAB Assignee	Initials JoA	Date 11/29/00	Agree	Disagree	
	2.	Chief, ECAB Section	M	11 24,00			
	3.	Asst. Regional Counsel	fly.	12/15/00			
	4.	ORC Section Chief		12/15/00 12/15/00			
	5.	Chief, ECAB	TIMP	12/9/00			
	6.	Director, WPTD	<u> </u>	/ /			
	7. —	Regional Administrator		11			
PART V	RETU	IRN TO A . PERRY , DRE-8. MARYAWN STE	J, FOR MAIL アソチモル	LING			
□ HAVI FORV	E YOU	COMPLETED THE CAS F IT IS NOT INCLUDED I	SE CONCLU	USION DA	TA SHE E.	ET? DO NOT	



14300 50001 - Peoria Keystone Gteel & Wire Compliance File

ILLINOIS POLLUTION CONTROL BOARD March 16, 2000

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
-)	
v.)	PCB 00-142
)	(Enforcement - RCRA)
KEYSTONE CONSOLIDATED)	
INDUSTRIES, INC., a Delaware)	
corporation d/b/a KEYSTONE STEEL &)	
WIRE COMPANY,)	
)	
Respondent.)	•

ORDER OF THE BOARD (by E.Z. Kezelis):

A complaint in the above captioned matter was filed on March 2, 2000. The complaint alleges that the respondent violated specified provisions of the Illinois Environmental Protection Act (Act) (415 ILCS 5/1 et seq. (1998)) and the Board's regulations. The complaint alleges that violations occurred at respondent's facility located in Bartonville, Peoria County, Illinois. The Board accepts this matter for hearing.

The Board directs that this matter proceed to hearing as expeditiously as practicable. The assigned hearing officer must set the matter for hearing in accordance with the requirements of the Act and the Board's procedural rules. Accordingly, this matter must be set for hearing within 90 days after the filing of the complaint unless the hearing officer, after appropriate consultation with the parties, determines that a later date is appropriate and that no undue delay or material prejudice in the resolution of this matter would result. See 35 Ill. Adm. Code 103.125(a). In any event, it is the responsibility of the hearing officer to guide the parties toward prompt resolution or adjudication of this matter, through whatever status calls and hearing officer orders he or she determines are necessary and appropriate.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 16th day of March 2000 by a vote of 5-0.

Dorothy M. Gunn, Clerk Illinois Pollution Control Board RELEASABLE

APR 1 2 2000

AL ACWER MD

Mary A. Gade, Director

5415 North University, Peoria, IL 61614

RECEIVED

SEP 23 1998

IEPA-DLPC

309/693-5462 309/693-5467 (FAX)

> CERTIFIED MAIL P 408 778 318 RETURN RECEIPT REQUESTED

September 21, 1998

Keystone Steel & Wire Company Attention: Bob Miller 7000 S. Adams

Peoria, Illinois 61641

Refer to: Violation Notice, L-1998-01198

1430050001 -- Peoria County Keystone Steel & Wire Company

ILD000714881 Compliance File

Dear Mr. Miller:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act, 415 ILCS 5/31(a)(1), and is based upon a telephone conversation between you and a representative of the Illinois Environmental Protection Agency on April 22, 1998 and inspections of Peoria City/County Landfill #2 completed on April 22, 1998 and April 23, 1998 by a representative of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of violations of environmental statutes, regulations, or permits as set forth in Attachment A to this letter. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the violations cited, please be advised that resolution of the violations may require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. The response must address each violation specified in Attachment A and include for each an explanation of the activities that will be implemented and the time schedule for the completion of that activity. Also, if a pollution prevention activity will be implemented, indicate that intention in

SCREENED MM

Page 2 - Violation Notice

any written response. The written response will constitute a proposed Compliance Commitment Agreement ("CCA") pursuant to Section 31 of the Act. The Illinois EPA will review the proposed CCA and will accept or reject it within 30 days of receipt.

If a timely written response to this Violation Notice is not provided, it shall be considered to be a waiver of the opportunity to respond and to meet and the Illinois EPA may proceed with a referral to the prosecutorial authority.

Written communications should be directed to:

Illinois EPA Attention: John Tripses 5415 North University Peoria, Illinois 61614

All communications must include reference to this VIOLATION NOTICE NUMBER, L-1998-01198.

Questions regarding this matter should be directed to JOHN TRIPSES at 309/693-5462.

Sincerely,

John G. Tripses, P.E., Manager

Peoria Region Office Field Operations Section

Division of Land Pollution Control

Bureau of Land

ENCLOSURE

bcc: BOL Records Unit #24

DLPC/FOS-Peoria Files
Paul Beatty, DLPC/PRS #24
Michelle Ryan, DLC #21

Attachment A

IEPA-DLPC

- 1. Pursuant to 35 Ill. Adm. Code 703.121(a), no person shall conduct any hazardous waste storage, hazardous waste treatment or hazardous waste disposal operation:
 - 1) Without a RCRA permit for the HWM (hazardous waste management) facility; or
 - 2) In violation of any condition imposed by a RCRA permit.

A violation of 35 Ill. Adm. Code 703.121(a) is alleged for the following reason: Keystone Steel & Wire Company failed to comply with the requirements of Section 722.134(a)(4) (see Section 725.131 below) and no longer qualifies for the exemption from RCRA permitting for generators who accumulate waste on-site for 90 days or less.

2. Pursuant to 35 Ill. Adm. Code 703.121(b), owners and operators of HWM units shall have permits during the active life (including the closure period) of the unit. Owners and operators of surface impoundments, landfills, land treatment units and waste pile units that received wastes after July 26, 1982, or that certified closure (according to 35 Ill. Adm. Code 725.215) after July 26, 1983, shall have post-closure permits, unless they demonstrate closure by removal as provided under Sections 703.159 and 703.160. If a post-closure permit is required, the permit must address applicable 35 Ill. Adm. Code 724 groundwater monitoring, unsaturated zone monitoring, corrective action and post-closure care requirements.

A violation of 35 Ill. Adm. Code 703.121(b) is alleged for the following reason: Keystone Steel & Wire Company failed to comply with the requirements of Section 722.134(a)(4) (see Section 725.131 below) and no longer qualifies for the exemption from RCRA permitting for generators who accumulate waste on-site for 90 days or less.

- 3. Pursuant to 35 Ill. Adm. Code 722.111, a person who generates a solid waste, as defined in Section 721.102, must determine if that waste is a hazardous waste using the following method:
 - a) The person should first determine if the waste is excluded from regulation under 35 Ill. Adm. Code 721.104.
 - b) The person should then determine if the waste is listed as a hazardous waste in 35 Ill. Adm. Code 721.Subpart D.

<u>Board Note</u>: Even if a waste is listed, the generator still has an opportunity under 35 Ill. Adm. Code 720.122 to demonstrate that the waste from the generator's particular facility or operation is not a hazardous waste.

c) For purposes of compliance with 35 Ill. Adm. Code 728, or if the waste is not listed as a hazardous waste in 35 Ill. Adm. Code 721. Subpart D the generator shall then

determine whether the waste is identified in 35 Ill. Adm. Code 721.Subpart C by either:

- Testing the waste according to the methods set forth in 35 Ill. Adm. Code 721.Subpart C, or according to an equivalent method approved by the Board under 35 Ill. Adm. Code 720.121; or
- 2) Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.
- d) If the generator determines that the waste is hazardous, the generator shall refer to 35 Ill. Adm. Code 724, 725 and 728 for possible exclusions or restrictions pertaining to the management of the specific waste.

A violation of 35 Ill. Adm. Code 722.111 is alleged for the following reason: Keystone Steel & Wire Company failed to make the correct hazardous waste determination of the rubble from the repair of a galvanizing furnace (D008).

4. Pursuant to 35 Ill. Adm. Code 722.112(c), a generator must not offer his hazardous waste to transporters or to treatment, storage or disposal facilities that have not received an EPA identification number.

A violation of 35 Ill. Adm. Code 722.112(c) is alleged for the following reason: Keystone Steel & Wire Company sent rubble from the repair of a galvanizing furnace (D008) to a disposal facility that did not have a USEPA Identification Number.

5. Pursuant to 35 Ill. Adm. Code 722.120(a), a generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage or disposal must prepare a manifest before transporting the waste off-site.

A violation of 35 Ill. Adm. Code 722.120(a) is alleged for the following reason: Keystone Steel & Wire Company sent rubble from the repair of a galvanizing furnace (D008) to a disposal facility without using a manifest.

6. Pursuant to 35 Ill. Adm. Code 722.120(b), a generator must designate on the manifest one facility which is permitted to handle the waste described on the manifest.

A violation of 35 Ill. Adm. Code 722.120(b) is alleged for the following reason: Keystone Steel & Wire Company sent rubble from the repair of a galvanizing furnace (D008) offsite without designating on the manifest one facility which is permitted to handle the waste.

7. Pursuant to 35 Ill. Adm. Code 722.121(a), if the State of Illinois is the state to which the

shipment is manifested (consignment state), the generator shall use the manifest supplied by the Agency.

A violation of 35 Ill. Adm. Code 722.121(a) is alleged for the following reason: Keystone Steel & Wire Company sent rubble from the repair of a galvanizing furnace (D008) offsite without using the manifest supplied by the Agency.

8. Pursuant to 35 Ill. Adm. Code 722.122, the manifest consists of at least that number of copies that will provide the generator; each transporter; and the owner or operator of the designated receiving treatment, storage, or disposal facility each with one copy for their records, plus provide one copy to be returned to the generator, plus provide two copies to be sent to the Agency, one by each the generator and the receiving treatment, storage, or disposal facility owner or operator.

A violation of 35 Ill. Adm. Code 722.122 is alleged for the following reason: Keystone Steel & Wire Company sent rubble from the repair of a galvanizing furnace (D008) off-site without using the manifest supplied by the Agency.

- 9. Pursuant to 35 Ill. Adm. Code 722.123(a), the generator shall:
 - 1) Sign the manifest certification by hand; and
 - 2) Obtain the handwritten signature of the initial transporter and the date of acceptance on the manifest; and
 - Retain one copy of the manifest in accordance with the requirements of Section 722.140(a); and
 - 4) Send one copy of the manifest to the Agency within two working days.

A violation of 35 Ill. Adm. Code 722.123(a) is alleged for the following reason: Keystone Steel & Wire Company sent rubble from the repair of a galvanizing furnace (D008) offsite without signatures on the manifest, without retaining one copy of the manifest, and without sending a copy of the manifest to the Agency.

10. Pursuant to 35 Ill. Adm. Code 722.123(b), the generator shall give the transporter all remaining copies of the manifest.

A violation of 35 Ill. Adm. Code 722.123(b) is alleged for the following reason: Keystone Steel & Wire Company sent rubble from the repair of a galvanizing furnace (D008) offsite without giving copies of the manifest to the transporter.

11. Pursuant to 35 Ill. Adm. Code 725.131, facilities must be maintained and operated to

minimize the possibility of a fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water which could threaten human health or the environment.

A violation of 35 Ill. Adm. Code 725.131 is alleged for the following reason: By sending rubble from the repair of a galvanizing furnace (D008) to a nonhazardous waste landfill (Peoria City/County Landfill #2), Keystone Steel & Wire Company failed to avoid sudden planned or unplanned releases of hazardous waste to the environment.

12. Pursuant to 35 Ill. Adm. Code 728.107(a), except as specified in Section 728.132 or 728.143, the generator shall test the generator's waste, or test an extract developed using the test method described in Appendix A, or use knowledge of the waste, to determine if the waste is restricted from land disposal under this Part.

This represents an apparent violation of 35 Ill. Adm. Code 728.107(a) for the following reason(s): Keystone Steel & Wire Company failed to determine if the rubble from the repair of a galvanizing furnace (D008) was restricted from land disposal.

- 13. Pursuant to 35 Ill. Adm. Code 728.107(a)(1), if a generator determines that the generator is managing a restricted waste under this Part and determines that the waste does not meet the applicable treatment standards set forth in Subpart D or exceeds the applicable prohibition levels set forth in Section 728.132 or 728.139, with each shipment of waste the generator shall notify the treatment or storage facility in writing of the appropriate treatment standard set forth in Subpart D and any applicable prohibition levels set forth in Section 728.132 or 728.139. The notice must include the following information:
 - A) USEPA Hazardous Waste Number;
 - B) The corresponding treatment standard and all applicable standards set forth in Section 728.132 or 728.139;
 - C) The manifest number associated with the shipment of waste; and
 - D) Waste analysis data, where available.

Pursuant to 35 Ill. Adm. Code 728.107(a)(2), if a generator determines that the generator is managing a restricted waste under this Part, and determines that the waste can be land disposed without further treatment, with each shipment of waste the generator shall submit, to the treatment, storage or land disposal facility, a notice and a certification stating that the waste meets the applicable treatment standards set forth in Subpart D and the applicable prohibition levels set forth in Section 728.132 or 728.139.

A) The notice must include the following information:

- i) USEPA Hazardous Waste Number;
- ii) The corresponding treatment standard;
- iii) The manifest number associated with the shipment of waste; and
- iv) Waste analysis data, where available.
- B) The certification must be signed by an authorized representative and must state the following:

I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 35 Ill. Adm. Code 728 Subpart D and all applicable prohibitions set forth in 35 Ill. Adm. Code 728.132, 728.139 or Section 3004(d) of the Resource Conservation and Recovery Act. I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

This represents an apparent violation of 35 Ill. Adm. Code 728.107(a)(1) or 35 Ill. Adm. Code 728.107(a)(2) for the following reason: Keystone Steel & Wire Company failed to notify the disposal facility if the rubble from the repair of a galvanizing furnace (D008) did or did not meet the treatment standard.

14. Pursuant to Section 21(e) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(e)), no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

A violation of Section 21(e) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(e)) is alleged for the following reason: Keystone Steel & Wire Company disposed of the rubble from the repair of a galvanizing furnace (D008) at a facility (Peoria City/County Landfill #2) that did not have a permit to accept that waste.

- 15. Pursuant to Section 21(f) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(f)), no person shall conduct any hazardous waste-storage, hazardous waste-treatment or hazardous waste-disposal operation:
 - 1. Without a RCRA permit for the site issued by the Agency under subsection (d) of Section 39 of this Act, or in violation of any condition imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with

regulations and standards adopted thereunder; or

- 2. In violation of any regulations or standards adopted by the Board under this Act; or
- 3. In violation of any RCRA permit filing requirement established under standards adopted by the Board under this Act;
- 4. In violation of any order adopted by the Board under this Act.

A violation of Section 21(f) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(f)) is alleged for the following reason: Keystone Steel & Wire Company failed to comply with the requirements of Section 722.134(a) and no longer qualifies for the exemption from RCRA permitting for generators who accumulate waste on-site for 90 days or less.

16. Pursuant to Section 21(i) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(I)), no person shall conduct any process or engage in any act which produces hazardous waste in violation of any regulations or standards adopted by the Board under subsections (a) and (c) of Section 22.4 of this Act.

You are in apparent violation of Section 21(i) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(i)) for the following reason: Keystone Steel & Wire Company generated rubble from the repair of a galvanizing furnace (D008) and failed to comply with the requirements of regulations adopted by the Board under subsections (a) and (c) of Section 22.4 of the Act.

Suggested Resolutions

- 1. IMMEDIATELY cease sending hazardous waste off-site for disposal at facilities that do not have the required permits to accept hazardous waste.
- 2. IMMEDIATELY comply with the requirements of 35 Ill. Adm. Code 722.111 and conduct the required waste determination for all wastes.
- 3. IMMEDIATELY cease sending hazardous waste off-site without a manifest.
- 4. IMMEDIATELY cease sending hazardous waste off-site without a manifest.
- 5. IMMEDIATELY cease sending hazardous waste off-site without determining if the waste is restricted from land disposal.
- 6. IMMEDIATELY cease sending hazardous waste off-site without informing the receiving facility if the waste is restricted from land disposal.

The written response to this Violation Notice must include information in rebuttal, explanation, or justification of each alleged violation and must be submitted to the Illinois EPA by certified mail, within 45 days of receipt of this Violation Notice. The written response must also include a proposed Compliance Commitment Agreement that commits to specific remedial actions, includes specified times for achieving each commitment, and may include a statement that compliance has been achieved.

Mary A. Gade, Director

5415 North University, Peoria, IL 61614

309/693-5462 309/693-5467 (FAX)

> CERTIFIED MAIL Z 084 580 281 RETURN RECEIPT REQUESTED

July 13, 1998

RECEIVED

JUL 14 1998

IEPA-DLPC

Keystone Steel & Wire Company Attention: Bob Miller 7000 S. Adams Peoria, Illinois 61641

Refer to: Violation Notice, L-1998-01092

1430050001 -- Peoria County Keystone Steel & Wire Company

ILD000714881 Compliance File

Dear Mr. Miller:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act, 415 ILCS 5/31(a)(1), and is based upon a telephone conversation between you and a representative of the Illinois Environmental Protection Agency on January 22, 1998 and an inspection of Peoria City/County Landfill completed on January 23, 1998 by a representative of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of violations of environmental statutes, regulations, or permits as set forth in Attachment A to this letter. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the violations cited, please be advised that resolution of the violations may require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. The response must address each violation specified in Attachment A and include for each an explanation of the activities that will be implemented and the time schedule for the completion of that activity. Also, if a pollution prevention activity will be implemented, indicate that intention in



Page 2 - Violation Notice

any written response. The written response will constitute a proposed Compliance Commitment Agreement ("CCA") pursuant to Section 31 of the Act. The Illinois EPA will review the proposed CCA and will accept or reject it within 30 days of receipt.

If a timely written response to this Violation Notice is not provided, it shall be considered to be a waiver of the opportunity to respond and to meet and the Illinois EPA may proceed with a referral to the prosecutorial authority.

Written communications should be directed to:

Illinois EPA Attention: John Tripses 5415 North University Peoria, Illinois 61614

All communications must include reference to this VIOLATION NOTICE NUMBER, L-1998-01092.

Questions regarding this matter should be directed to JOHN TRIPSES at 309/693-5462.

Sincerely,

John G. Tripses, P.E., Manager

Peoria Region Office Field Operations Section

Division of Land Pollution Control

Bureau of Land

ENCLOSURE

bcc: BOL Records United 24

DLPC/FOS-Peoria Files Paul Beatty, DLPC/PRS #24 Michelle Ryan, DLC #21

Attachment A

- 1. Pursuant to 35 Ill. Adm. Code 703.121(a), no person shall conduct any hazardous waste storage, hazardous waste treatment or hazardous waste disposal operation:
 - 1) Without a RCRA permit for the HWM (hazardous waste management) facility; or
 - 2) In violation of any condition imposed by a RCRA permit.

A violation of 35 Ill. Adm. Code 703.121(a) is alleged for the following reason: Keystone failed to comply with the requirements of Section 722.134(a)(4) (see Section 725.131 below) and no longer qualifies for the exemption from RCRA permitting for generators who accumulate waste on-site for 90 days or less.

2. Pursuant to 35 Ill. Adm. Code 703.121(b), owners and operators of HWM units shall have permits during the active life (including the closure period) of the unit. Owners and operators of surface impoundments, landfills, land treatment units and waste pile units that received wastes after July 26, 1982, or that certified closure (according to 35 Ill. Adm. Code 725.215) after July 26, 1983, shall have post-closure permits, unless they demonstrate closure by removal as provided under Sections 703.159 and 703.160. If a post-closure permit is required, the permit must address applicable 35 Ill. Adm. Code 724 groundwater monitoring, unsaturated zone monitoring, corrective action and post-closure care requirements.

A violation of 35 Ill. Adm. Code 703.121(b) is alleged for the following reason: Keystone failed to comply with the requirements of Section 722.134(a)(4) (see Section 725.131 below) and no longer qualifies for the exemption from RCRA permitting for generators who accumulate waste on-site for 90 days or less.

- 3. Pursuant to 35 Ill. Adm. Code 722.111, a person who generates a solid waste, as defined in Section 721.102, must determine if that waste is a hazardous waste using the following method:
 - a) The person should first determine if the waste is excluded from regulation under 35 Ill. Adm. Code 721.104.
 - b) The person should then determine if the waste is listed as a hazardous waste in 35 Ill. Adm. Code 721.Subpart D.

Board Note: Even if a waste is listed, the generator still has an opportunity under 35 Ill. Adm. Code 720.122 to demonstrate that the waste from the generator's particular facility or operation is not a hazardous waste.

c) For purposes of compliance with 35 Ill. Adm. Code 728, or if the waste is not listed as a hazardous waste in 35 Ill. Adm. Code 721. Subpart D the generator shall then determine whether the waste is identified in 35 Ill. Adm. Code 721. Subpart C by

either:

- Testing the waste according to the methods set forth in 35 Ill. Adm. Code 721.Subpart C, or according to an equivalent method approved by the Board under 35 Ill. Adm. Code 720.121; or
- 2) Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.
- d) If the generator determines that the waste is hazardous, the generator shall refer to 35 Ill. Adm. Code 724, 725 and 728 for possible exclusions or restrictions pertaining to the management of the specific waste.

A violation of 35 Ill. Adm. Code 722.111 is alleged for the following reason: Keystone failed to make the correct hazardous waste determination of the spent pickle liquor (K062) and debris.

- 4. Pursuant to 35 Ill. Adm. Code 722.112(c), a generator must not offer his hazardous waste to transporters or to treatment, storage or disposal facilities that have not received an EPA identification number.
 - A violation of 35 Ill. Adm. Code 722.112(c) is alleged for the following reason: Keystone sent spent pickle liquor (K062) and debris to a disposal facility that did not have a USEPA Identification Number.
- 5. Pursuant to 35 Ill. Adm. Code 722.120(a), a generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage or disposal must prepare a manifest before transporting the waste off-site.
 - A violation of 35 Ill. Adm. Code 722.120(a) is alleged for the following reason: Keystone sent spent pickle liquor (K062) and debris to a disposal facility without using a manifest.
- 6. Pursuant to 35 Ill. Adm. Code 722.120(b), a generator must designate on the manifest one facility which is permitted to handle the waste described on the manifest.
 - A violation of 35 Ill. Adm. Code 722.120(b) is alleged for the following reason: Keystone sent spent pickle liquor (K062) and debris off-site without designating on the manifest one facility which is permitted to handle the waste.
- 7. Pursuant to 35 Ill. Adm. Code 722.121(a), if the State of Illinois is the state to which the shipment is manifested (consignment state), the generator shall use the manifest supplied by the Agency.

IEPA-DLFC

A violation of 35 Ill. Adm. Code 722.121(a) is alleged for the following reason: Keystone sent spent pickle liquor (K062) and debris off-site without using the manifest supplied by the Agency.

8. Pursuant to 35 Ill. Adm. Code 722.122, the manifest consists of at least that number of copies that will provide the generator; each transporter; and the owner or operator of the designated receiving treatment, storage, or disposal facility each with one copy for their records, plus provide one copy to be returned to the generator, plus provide two copies to be sent to the Agency, one by each the generator and the receiving treatment, storage, or disposal facility owner or operator.

A violation of 35 Ill. Adm. Code 722.122 is alleged for the following reason: Keystone sent spent pickle liquor (K062) and debris off-site without using the manifest supplied by the Agency.

- 9. Pursuant to 35 Ill. Adm. Code 722.123(a), the generator shall:
 - 1) Sign the manifest certification by hand; and
 - 2) Obtain the handwritten signature of the initial transporter and the date of acceptance on the manifest; and
 - Retain one copy of the manifest in accordance with the requirements of Section 722.140(a); and
 - 4) Send one copy of the manifest to the Agency within two working days.

A violation of 35 Ill. Adm. Code 722.123(a) is alleged for the following reason: Keystone sent spent pickle liquor (K062) and debris off-site without signatures on the manifest, without retaining one copy of the manifest, and without sending a copy of the manifest to the Agency.

10. Pursuant to 35 Ill. Adm. Code 722.123(b), the generator shall give the transporter all remaining copies of the manifest.

A violation of 35 Ill. Adm. Code 722.123(b) is alleged for the following reason: Keystone sent spent pickle liquor (K062) and debris off-site without giving copies of the manifest to the transporter.

Pursuant to 35 Ill. Adm. Code 725.131, facilities must be maintained and operated to minimize the possibility of a fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water which could threaten human health or the environment.

ICFA-DLPC

A violation of 35 Ill. Adm. Code 725.131 is alleged for the following reason: By sending spent pickle liquor (K062) and debris to a nonhazardous waste landfill (Peoria City-County Landfill), Keystone failed to avoid sudden planned or unplanned releases of hazardous waste to the environment.

12. Pursuant to 35 Ill. Adm. Code 728.107(a), except as specified in Section 728.132 or 728.143, the generator shall test the generator's waste, or test an extract developed using the test method described in Appendix A, or use knowledge of the waste, to determine if the waste is restricted from land disposal under this Part.

This represents an apparent violation of 35 Ill. Adm. Code 728.107(a) for the following reason(s): Keystone failed to determine if the spent pickle liquor (K062) and debris was restricted from land disposal.

- 13. Pursuant to 35 Ill. Adm. Code 728.107(a)(1), if a generator determines that the generator is managing a restricted waste under this Part and determines that the waste does not meet the applicable treatment standards set forth in Subpart D or exceeds the applicable prohibition levels set forth in Section 728.132 or 728.139, with each shipment of waste the generator shall notify the treatment or storage facility in writing of the appropriate treatment standard set forth in Subpart D and any applicable prohibition levels set forth in Section 728.132 or 728.139. The notice must include the following information:
 - A) USEPA Hazardous Waste Number;
 - B) The corresponding treatment standard and all applicable standards set forth in Section 728.132 or 728.139;
 - C) The manifest number associated with the shipment of waste; and
 - D) Waste analysis data, where available.

Pursuant to 35 Ill. Adm. Code 728.107(a)(2), if a generator determines that the generator is managing a restricted waste under this Part, and determines that the waste can be land disposed without further treatment, with each shipment of waste the generator shall submit, to the treatment, storage or land disposal facility, a notice and a certification stating that the waste meets the applicable treatment standards set forth in Subpart D and the applicable prohibition levels set forth in Section 728.132 or 728.139.

- A) The notice must include the following information:
 - i) USEPA Hazardous Waste Number;
 - ii) The corresponding treatment standard;

JUL 14 1998

- iii) The manifest number associated with the shipment of waste; and PA-DLPC
- iv) Waste analysis data, where available.
- B) The certification must be signed by an authorized representative and must state the following:

I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 35 Ill. Adm. Code 728 Subpart D and all applicable prohibitions set forth in 35 Ill. Adm. Code 728.132, 728.139 or Section 3004(d) of the Resource Conservation and Recovery Act. I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

This represents an apparent violation of 35 Ill. Adm. Code 728.107(a)(1) or 35 Ill. Adm. Code 728.107(a)(2) for the following reason: Keystone failed to notify the disposal facility if the spent pickle liquor (K062) and debris did or did not meet the treatment standard.

14. Pursuant to Section 21(e) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(e)), no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

A violation of Section 21(e) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(e)) is alleged for the following reason: Keystone disposed of the spent pickle liquor (K062) and debris at a facility (Peoria City-County Landfill) that did not have a permit to accept that waste.

- 15. Pursuant to Section 21(f) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(f)), no person shall conduct any hazardous waste-storage, hazardous waste-treatment or hazardous waste-disposal operation:
 - 1. Without a RCRA permit for the site issued by the Agency under subsection (d) of Section 39 of this Act, or in violation of any condition imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder; or
 - 2. In violation of any regulations or standards adopted by the Board under this Act; or
 - 3. In violation of any RCRA permit filing requirement established under standards

JUL 14 1998

adopted by the Board under this Act;

IEPA-DLPC

4. In violation of any order adopted by the Board under this Act.

A violation of Section 21(f) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(f)) is alleged for the following reason: Keystone failed to comply with the requirements of Section 722.134(a) and no longer qualifies for the exemption from RCRA permitting for generators who accumulate waste on-site for 90 days or less.

16. Pursuant to Section 21(i) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(i)), no person shall conduct any process or engage in any act which produces hazardous waste in violation of any regulations or standards adopted by the Board under subsections (a) and (c) of Section 22.4 of this Act.

You are in apparent violation of Section 21(i) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(i)) for the following reason: Keystone generated spent pickle liquor (K062) and debris and failed to comply with the requirements of regulations adopted by the Board under subsections (a) and (c) of Section 22.4 of the Act.

Suggested Resolutions

- 1. IMMEDIATELY cease sending hazardous waste off-site for disposal at facilities that do not have the required permits to accept hazardous waste.
- 2. IMMEDIATELY comply with the requirements of 35 Ill. Adm. Code 722.111 and conduct the required waste determination for all wastes.
- 3. IMMEDIATELY cease sending hazardous waste off-site without a manifest.
- 4. IMMEDIATELY cease sending hazardous waste off-site without a manifest.
- 5. IMMEDIATELY cease sending hazardous waste off-site without determining if the waste is restricted from land disposal.
- 6. IMMEDIATELY cease sending hazardous waste off-site without informing the receiving facility if the waste is restricted from land disposal.

The written response to this Violation Notice must include information in rebuttal, explanation, or justification of each alleged violation and must be submitted to the Illinois EPA by certified mail, within 45 days of receipt of this Violation Notice. The written response must also include a proposed Compliance Commitment Agreement that commits to specific remedial actions, includes specified times for achieving each commitment, and may include a statement that compliance has been achieved.

99



INFORMATION SHOWN ON THIS FORM IS SUBJECT TO MINOR CHANGES. OFFICIAL NRC REPORTS ARE SENT TO VNTSC ON A DAILY BASIS.

From: National Response Center

USCG HQ Washington, D.C.

1-800-424-8802

U. S. EPA V

· 编码 电流导

Incident Report # 433558

INCIDENT DESCRIPTION

*Report taken by CIV WINTERS at 11 48 on 22 APR 98

Incident Type: FIXED

Incident Cause: OPERATOR ERROR Affected Area: LANDFILL ON SOIL

The incident occurred on 21-APR-98 at 12:00 local time

Affected Medium: LAND

REPORTING PARTY

Name: Job Title:

ROBERT MILLER MGR/ENGINEERING

Organization: Address:

KEYSTONE STEEL & WIRE CO. 7000 SOUTHWEST ADAMS ST

PEORIA, IL 61641

KEYSTONE STEEL & WIRE CO. called for the responsible party.

Day Phone:

(309) 6977527

Type of Organization: PRIVATE ENTERPRISE

SUSPECTED RESPONSIBLE PARTY

Name:

Job Title:

MGR/ENGINEERING

ROBERT MILLER

Organization:

KEYSTONE STEEL & WIRE CO.

Address:

7000 SOUTHWEST ADAMS ST PEORIA, IL 61641

Day Phone:

(309) 6977527

Type of Organization: PRIVATE ENTERPRISE

INCIDENT LOCATION County: PEORIA State: IL

PEORIA CITY/COUNTY

LANDFILL

11501 WEST COTTONWOOD RD

BRIMFIELD, IL

RELEASED MATERIAL(S)

ANNEALING FURNACE DEBRIS (MOLTON LEAD BATH USED TO CHRIS Code: NCC

Qty Released: 108 CBF(S) Oty in Water: 0 NON(S)

SOURCE/CAUSE OF INCIDENT

ANNEALING FURNACE ON GALVANIZING FRAME/DEBRIS WAS PUT INTO A ROLLOFF BOX/TRANSPORTED TO LANDFILL AND ROLLOFF BOX WAS EMPTIED AT LANDFILL

DAMAGE

Injuries: Fatalities: Evacuations: Damages:

Air Close: Road Close:

REMEDIAL ACTIONS

LANDFILL OPERATORS ARE NOW TRYING TO LOCATE MATERIAL AND ONCE IT IS LOCATED STEPS WILL BE TAKEN TO CLEANUP MATERIAL

NOTIFICATIONS BY CALLER

STATE: Y CG: EPA:

OTHER:

DESC: IL EPA



INFORMATION SHOWN ON THIS FORM IS SUBJECT TO MINOR CHANGES. OFFICIAL NRC REPORTS ARE SENT TO VNTSC ON A DAILY BASIS.

From: National Response Center MR. MARITUTE

USCG HQ Washington, D.C.

1-800-424-8802

U. S. EPA V

Incident Report # 433558

INCIDENT DESCRIPTION

*Report taken by CIV WINTERS at 11:48 on 22-APR-98

NOTIFICATIONS BY NRC

U.S. EPA V

MR. MARITOTE

22-APR-98 12:04

NOAA 1ST CLASS BB RPTS FOR IL

22-APR-98 00:00 (202) 5266329

ATTN: JAMES O'BRIEN IL EPA ERT

22-APR-98 00:00 (217):5244036

ADDITIONAL INFORMATION

MATERIAL CONSISTENCY RANGES FROM BRICK TO DUST/ WX: OVERCAST/LIGHT WIND/ TEMP: 50F (THERE WAS LIGHT RAIN WHEN DUMPING OCCURED)

END OF REPORT # 433558 *****

PLEASE VISIT OUR WEB SITE http://www.nrc.uscg.mil

ILD 000 714 88/

U.S. ENVIRONMENTAL PROTECTION AGENCY MINIMILL COMPLIANCE INITIATIVE REVIEW OF ENVIRONMENTAL AUDIT REPORT KEYSTONE STEEL & WIRE COMPANY, PEORIA, ILLINOIS

Tetra Tech EM Inc. (Tetra Tech) received Work Assignment (WA) No. R05059 from the U.S. Environmental Protection Agency (EPA) under Contract No. 68-W4-0007 (REPA) to provide EPA Region 5 with support related to the minimill compliance initiative. This support includes reviewing and evaluating facility-specific multimedia environmental compliance information and providing technical support during field investigations. Under Amendment No. 2, Tetra Tech is reviewing multimedia environmental audit reports and self disclosures submitted by regulated minimills at EPA's request. The purpose of the review was to summarize compliance issues and recommend actions in response to the audit findings, based solely on the information provided in the audit report. An Audit Review Summary Table that identifies key elements of the audit report is attached.

This report describes Tetra Tech's review of the audit report submitted for the Keystone Steel & Wire Company (Keystone) minimill in Peoria, Illinois. The Keystone minimill, located in Bartonville, Illinois, just south of Peoria, Illinois, is a division of Keystone Consolidated Industries, Inc. and has been in operation since 1913. Keystone operates three mills at the Peoria facility: the steel works, which includes the arc shop, caster, and rod mill, the mid mill, and the wire mill. The steel works produces low carbon steel rods from steel and iron scrap melted and refined in one of two 180-ton capacity AC electric arc furnaces in the arc shop. The hot metal is then cast into billets in the continuous caster. The billets are reheated and rolled into rod coils in the rod mill. The mid mill and wire mill produce wire and wire products from the rods produced at the steel works. The audit report does not indicate who conducted the audit. The audit report was submitted on May 30 and received by EPA on June 2, 1997. An audit compliance summary and recommendations for further actions at the Keystone minimill are discussed below.

COMPLIANCE SUMMARY

The audit report does not describe audit procedures or information obtained and reviewed during the audit. The audit report does contain thorough process descriptions and compliance findings, conclusions, and recommendations. It is not clear what protocol was used to conduct the audit and if compliance with all applicable regulations was evaluated.

The compliance issues identified are discussed below. For most of the issues identified, the audit report provides a recommendation to achieve compliance.

<u>Clean Air Act (CAA)</u>: The two CAA issues identified are described below.

- 1. Air emission tests conducted from March 3 to 7, 1997, revealed that the arc shop is emitting particulate matter (TSP and PM₁₀), carbon monoxide (CO), and nitrogen oxides (NO_x) at levels exceeding its operating permit limits. The audit report recommends that Keystone submit an Illinois Environmental Protection Agency (Illinois EPA) construction permit application using revised emission estimates for TSP, PM₁₀, CO, and NO_x and also submit a revised Title V "operating" permit application including revised emissions estimates.
- During 1989, 1990, and 1991, the arc shop, caster, and rod mill exceeded production limits in each operation's permit. The audit report recommends that Keystone submit a revised Title V "operating" permit application, including revised emissions estimates. The audit report also recommends that Keystone submit an application for prevention of significant deterioration (PSD) for planned future production increases in the steel works that will result in a significant net emissions increase of regulated pollutants.

Toxic Substances Control Act (Title I): The audit report states that Keystone has maintained the proper records necessary for producing a written annual document log pertaining to polychlorinated biphenyl (PCB) management. However, Keystone has failed to produce a formal annual document log. The audit report recommends that Keystone maintain PCB management annual document logs for 1996 data and for all future data.

Resource Conservation and Recovery Act: On January 10, 1997, Keystone received a violation notice from Illinois EPA listing 18 violations based on a July 30, 1996, RCRA inspection conducted by Illinois EPA. Of the 18 violations, 3 were associated with the radioactive mixed waste storage area closure; 2 were associated with hazardous waste labeling, storage, and reporting; and 13 were related to an acid spill. According to the audit report, 15 of the 18 violations have been resolved. The three violations relating to the radioactive mixed waste storage area closure are still being resolved with Illinois EPA. The audit report does not indicate that any additional RCRA compliance reviews have been conducted at the Keystone facility.

RECOMMENDATIONS

The audit report states that, except for the compliance issues described above, the Keystone minimill is in compliance with most environmental laws. However, Keystone provides little explanation or documentation to back up its claims of being in full compliance with the Emergency Planning and Community Right-to-Know Act, the Clean Water Act, or the Safe Drinking Water Act. Tetra Tech recommends that EPA request Keystone to submit full documentation of compliance with these regulations for review.

Because the Clean Air Act violations are currently being addressed by Illinois EPA, Tetra Tech recommends that these violations continue to be addressed by Illinois EPA. Keystone plans to increase future production that may trigger PSD regulations. Tetra Tech recommends that EPA request that Keystone update EPA on any increases in production and if necessary ensure that Keystone submits a PSD application.

It appears from the audit report that Keystone did not conduct its own compliance audit of RCRA regulations. For the audit, Keystone relied upon an inspection conducted by Illinois EPA in July 1996. Because the violations were not discovered voluntarily and the inspection was conducted in 1996, Tetra Tech recommends that EPA request that Keystone conduct a complete review of RCRA regulations as they pertain to Keystone's facility.

AUDIT REVIEW SUMMARY TABLE

	Keystone Steel & Wire Co. Peoria, IL
GENERAL AUDIT INFORMATION	
Audit team affiliation? (consultant or "internal corporate")	NS
Audit dates? (days on-site)	NS
Audit team size? (number)	NS
Audit team qualifications provided? (Y/N)	NS
Facility personnel involved in audit? (number)	NS
Regulatory personnel contacted? (Y/N)	NS
Time period covered by audit? (years)	NS .
Confidentiality statement? (Y/N)	NS
Environmental Management System (EMS) review conducted? (Y/N)	NS
Overall Audit Assessment	Does not contain audit procedure information

AUDIT REPORT Does the audit report contain the following:	
Description of audit scope, objectives, and procedures?	No
Description of manufacturing processes?	Yes
Process flow diagrams?	Yes
Description of waste generation and handling?	No
Summary of findings?	No
Summary of regulatory applicability?	Yes
List of supporting documents?	Yes
Copies of supporting documents? (for issues resolved after the audit)	Yes
Copies of compliance checklists?	No
Copies of completed checklists?	No
Resumes of auditors?	No
Overall Report Quality	Brief reports; excellent process descriptions;
	few summaries and minmal documentation of
	compliance

ENVIRONMENTAL COMPLIANCE REVIEW (issues identified/issues resolved)	
CAA-NSPS/PSD	1/0
CAA-State Permit	1/0
CAA-NESHAP Asbestos	/
CWA -NPDES	7
CWA-Pretreatment	
CWA-Stormwater	
SPCC	7
Storage tanks - UST	1
RCRA - Nonhazardous	/
RCRA - Hazardous	18/15
RCRA-Used Oil	7
EPCRA	√
CERCLA/NCP	1
TSCA-PCBs	1/0
FIFRA-Pesticides	NE NE
SDWA-Water Supply	
SDWA-Groundwater protection	1
Environmental Assessment	NE
Environmental Radiation	NE
Comments/ EMS Evaluation Summary	No compliance issues identified.

NS = Not Specified; NE = Not Evaluated; NA = Not Applicable "Check" indicates evaluated and no issues identified.

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/785-8604 TDD 217/782-9143

CERTIFIED MAIL P344977
RETURN RECEIPT REQUESTED

April 18, 1997

Keystone Steel & Wire Attn: R. N. Miller 7000 SW Adams Street Peoria, IL 61641

Re: Rejection of Compliance Commitment Agreement
Violation Notice, L-01181
1430050001--Peoria County
Keystone Steel & Wire
ILD000714881
Compliance File

Dear Mr. Miller:

The Illinois Environmental Protection Agency ("Illinois EPA") **REJECTS** the Compliance Commitment Agreement ("CCA") proposed by Keystone Steel & Wire and dated March 27, 1997 in response to the Violation Notice dated January 8, 1997.

The proposed CCA is rejected because it fails to adequately address the following:

- 1. The response does not adequately address the apparent violations for the storage of radioactive arc dust (K061) in containers and tanks. The areas have not completed RCRA closure and there is no Part B permit for those activities. [Sections 703.121(a), 703.121(b), and Section 21(f)]
- 2. The response does adequately address the hazardous waste from the spill of spent pickle liquor (K062), the failure to make a proper waste determination of that waste, its subsequent shipment off-site without a proper manifest and land disposal notification, its shipment for disposal at a nonhazardous waste landfill, the failure to include the waste on the facility's annual report, and failure to manage the facility to control sudden planned and unplanned releases of hazardous waste or hazardous waste constituents to the environment to qualify for the exemption from RCRA permitting for the accumulation of hazardous waste on-site in containers and tanks for 90 days or less. [Sections 703.121(a), 703.121(b), 722.111, 722.112(c), 722.120(a), 722.120(b), 722.121(a), 722.122, 722.123(a), 722.123(b), 722.134(a), 722.141(a), 725.131, 728.107(a), 728.107(a)(1), 21(e), 21(f), and 21(i)]

Because the violations remain the subject of disagreement between the Illinois EPA and Keystone Steel & Wire, this matter will be considered for referral to the Office of the Attorney General, the State's Attorney of Peoria County or the United States Environmental Protection Agency for formal enforcement action and the imposition of penalties.

Written communications should be directed to:

Illinois EPA
Attn.: Paul Beatty #24
1001 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

All communications must include reference to this VIOLATION NOTICE NUMBER, L-1996-01181.

Questions regarding this matter should be directed to JOHN TRIPSES at 309/693-5462.

Sincerely,

David C. Jansen, Acting Manager

Field Operations Section

Bureau of Land

DCJ:JGT:pbz9601181

Enclosure



March 27, 1997

Mr. Paul Beatty Illinois Environmental Protection Agency Bureau of Land No. 24 P. O. Box 19276 Springfield, Illinois 62794-9276

> Violation Notice No. L-1996-01181 Re:

Dear Mr. Beatty:

I am writing to confirm our discussion with John G. Tripses and Michelle M. Ryan at IEPA's Peoria office on March 18, 1997:

- Mr. Tripses acknowledged that Keystone's December 23, 1995 closure report and verification for the K061 radioactive arc dust storage units has been under review by the IEPA for 15 months, and that the next step is for the Agency to approve the closure verification report or to request additional information or work. Without asking Keystone to waive any of its rights of appeal from Agency closure decisions, Mr. Tripses asked that Kevstone confirm in writing that Keystone will complete RCRA closure of the units if further action is deemed to be required. Keystone's position is that closure of the units has already been completed and verified in accordance with the closure plan approved by the Agency on September 28, 1995. But if the Agency requires that further action be taken and that decision is sustained in any appeal, Keystone will of course comply.
- Keystone restated its position that the acid spilled on June 5, 1995 was not "spent" because pre-spill testing of its iron content placed it well within the useful range for pickle liquor. Mr. Tripses did not argue that acid with an 8.9% iron content "can no longer serve the purpose for which it was produced without processing", the regulatory definition of a "spent material". 35 IAC § 721.101 (c)(1). Instead, he claimed any acid "spilled on the ground" after "use" qualified as a "spent material". Keystone respectfully submits that Mr. Tripses' definition is far broader than the regulatory definition. Mr. Tripses acknowledged that under his view, if a batch of pickling liquor was used to clean only one coil of steel, it would be "spent" if it was then accidentally released onto soil. Mr. Tripses was therefore not interested in discussing Keystone's reasons for concluding that the acid with 8.9% iron content spilled on June 5th could have served "the purpose for which it was produced without processing" immediately prior to the accident. (ld.)

- 3. As to the issue of Mr. Tripses' observation during his July 30, 1996 inspection of a roll-off box without a date label, he stated that the Agency was only seeking a commitment from Keystone to label and date all containers in the regulated accumulation areas. Keystone hereby confirms that commitment.
- 4. Mr. Tripses acknowledged that he was satisfied with Keystone's amendment to its 1995 Hazardous Waste Report regarding the use of multiple codes for waste petroleum naphtha.
- 5. As to the five unlabeled drums Mr. Tripses observed in the Mid Mill accumulation area on July 30, 1996, Keystone has determined that the drums contained ammonium chloride flux unsuitable for use in wire galvanizing. The contents of the drums were put into the Mid Mill wastewater collection tank and treated at Keystone's wastewater treatment plant. Keystone plans to issue written instructions to the responsible production supervisor to prevent a recurrence of the storage of unlabeled drums in the regulated accumulation areas.

While Keystone is pleased that we were able to narrow our regulatory compliance issues with the Agency to the matter of the June 5, 1995 acid spill, we were frustrated by the parties' inability to get past their differences over the interpretation of the regulations. Mr. Tripses did, however, agree with Keystone that its soil cleanup and confirmatory sampling following the spill were fully satisfactory, and that the soil disposal off site at the Peoria County Landfill posed no threat to the environment. Inasmuch as Mr. Tripses agreed that no further remedial action in response to the June 5, 1995 spill is necessary, and Mr. Tripses' interpretation of the definition of "spent material" at 35 IAC § 721.10 (c)(1) is at best debatable, Keystone does not understand Mr. Tripses' apparent determination to refer that matter to the Attorney General for enforcement. Keystone urges the Agency to reconsider this apparent decision.

Respectfully submitted,

R. N. Miller, P.E. General Manager

Bob Mille

Product & Process Improvement

Cc: Michelle M. Ryan, Esq. (IEPA)
Mr. John G. Tripses, P.E. (IEPA)
Andrew R. Running, Esq. (K & E)
Ralph P. End, Esq. (KCI)

Mary A. Gade, Director

5415 North University, Peoria, IL 61614

309/693-5462 309/693-5467 (fax)

February 27, 1997

Re: Violation Notice No. L-1996-01181

1430050001 -- Peoria County Keystone Steel & Wire Company ILD000814881 COMPLIANCE FILE

Keystone Steel & Wire Company Attention: Robert N. Miller, P.E. 7000 S.W. Adams Street Peoria, Illinois 61641

Dear Mr. Miller:

This letter is to confirm the change in the meeting date from March 4, 1997 to March 18, 1997 as was discussed in our telephone conversation on February 20, 1997 and in your letter, dated February 25, 1997. The meeting, which is in response to the Agency's Violation Notice No. L-1996-01181, dated January 8, 1997, Keystone Steel & Wire Company's response, dated January 29, 1997, and the Agency's Compliance Committment Agreement Rejection, dated February 13, 1997, will be held on March 18, 1997 at 10:30 a.m. in the Peoria Region Office, 5415 N. University, Peoria, Illinois 61614.

If you have any questions, please feel free to contact the undersigned at the telephone number listed above.

Sincerely,

John G. Tripses, P.E., Manager

Peoria Region Office Field Operations Section

Division of Land Pollution Control

Bureau of Land

ENVIRONMENTAL PROTECTION AGENCY & Miller

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/782-8604 TDD 217/782-9143

February 27, 1997

CERTIFIED MAIL P 056 683 830 RETURN RECEIPT REQUESTED

Keystone Steel & Wire Company Attention: Robert N. Miller, P.E. 7000 S.W. Adams Street Peoria, Illinois 61641

State of Illinois

Re: Compliance Commitment Agreement Rejection

> Violation Notice, L-1996-01181 1430050001 -- Peoria County Keystone Steel & Wire Company Compliance File

Dear Mr. Miller:

The Illinois Environmental Protection Agency ("Illinois EPA") REJECTS the Compliance Commitment Agreement ("CCA") proposed by Keystone Steel & Wire Company and dated January 31, 1997 in response to the Violation Notice number, L-1996-01181, dated January 8, 1997.

The proposed CCA dated January 31, 1997 is rejected because it fails to adequately address the following:

- 1. The response does not adequately address the apparent violations for the storage of the radioactive arc dust (K061) in containers and tanks. The areas have not completed RCRA closure and there is no Part B permit for those activities. [Section 703.121(a), Section 703.121(b), and Section 21(f).]
- 2. The response does not adequately address the apparent violations for failing to label containers of hazardous waste with accumulation dates so as to qualify for the exemption from RCRA permitting for accumulating hazardous waste on-site in containers and tanks for 90 days or less. [Section 703.121(a), Section 703.121(b), Section 722.134(a), and Section 21(f).]
- 3. The response does not adequately address the hazardous waste from the spill of spent pickle liquor (K062), the failure to make a proper waste determination of that waste, its subsequent shipment off-site without a proper manifest and land disposal notification, its shipment for

disposal at a nonhazardous waste landfill, the failure to include the waste on the facility's annual report, and failure to manage the facility to control sudden planned or unplanned releases of hazardous waste or hazardous waste constituents to the environment to qualify for the exemption from RCRA permitting for accumulating hazardous waste on-site in containers and tanks for 90 days or less. [Section 703.121(a), Section 703.121(b), Section 722.111, Section 722.112(c), Section 722.120(a), Section 722.120(b), Section 722.121(a), Section 722.122, Section 722.123(a), Section 722.123(b), Section 722.134(a), Section 722.141(a), Section 725.131, Section 728.107(a), Section 728.107(a)(1), Section 21(e), Section 21(f) and Section 21(i).]

4. The response does not adequately address the failure to list all waste codes on the 1995 annual report for the waste naphtha. [Section 722.141(a) and Section 21(i).]

Because the violations remain the subject of disagreement between the Illinois EPA and Keystone Steel & Wire Company, this matter will be considered for referral to the Office of the Attorney General, the State's Attorney of Peoria County or the United States Environmental Protection Agency for formal enforcement action and the imposition of penalties.

This is Keystone Steel & Wire Company's second response to Violation Notice, L-1996-01181. The first response was dated January 29, 1997. The Illinois EPA accepted the request for a meeting in the first response and that meeting is scheduled for 10:30 a.m. on March 18, 1997 at the Peoria Regional Office, 5415 North University, Peoria 61614. The Illinois EPA proposes that the meeting, which has already been scheduled, be used to discuss the Compliance Commitment Agreement Rejection of Keystone Steel & Wire Company's second response to Violation Notice, L-1996-01181.

Pursuant to Section 31(a)(5) of the Illinois Environmental Protection Act (Act), 415 ILCS 5/31(a)(5), within 21 days following the meeting, or within an extended time period as agreed to by the Illinois EPA, Keystone Steel & Wire Company must submit by certified mail to the Illinois EPA a written response to the alleged violations. The written response must include:

- 1. Additional information in rebuttal, explanation or justification of each alleged violation;
- 2. A proposed CCA that includes specified time frames for achieving each commitment, and which may consist of a statement indicating that the person complained against believes that compliance has been achieved; and
- 3. A statement indicating that, should the person complained against so wish, the person complained against chooses to rely upon the initial written response submitted pursuant to Section 31(a)(2) of the Act, 415 ILCS 5/31(a)(2).

Failure to respond in accordance with the requirements of Section 31(a)(5) above will be considered a waiver of the requirements of Section 31(a), and the Illinois EPA may proceed with a referral to a prosecutorial authority.

Within 30 days of the Illinois EPA's receipt of the written response to the meeting, the Illinois EPA will provide in writing its acceptance, rejection, or proposed modification to the proposed CCA within the written response.

Written communications should be directed to:

Illinois EPA
Attn: Paul Beatty
Bureau of Land #24
Post Office Box 19276
Springfield, Illinois 62794-9276

All communications must include reference to this VIOLATION NOTICE NUMBER, L-01181.

Questions regarding this matter should be directed to JOHN TRIPSES at 309/693-5462.

Sincerely,

David C. Jansen, Acting Manager

Field Operations Section

Bureau of Land

DCJ:JGT



February 25, 1997

Illinois Environmental Protection Agency Peoria Regional Office 5415 N. University Ave. Peoria, Illinois 61614

ATTN: Mr. John Tripses

RE: V

Violation Notice L-1996-01181

Request For Meeting

Dear Mr. Tripses:

Thank you for your response to my meeting request of January 29, 1997. Unfortunately, the date that you proposed does not fit the schedules of the Keystone personnel who are required for this meeting. Per our telephone conversation of February 20, 1997, I would like to change this meeting time and date to 10:30 A.M. Tuesday, March 18, 1997. The meeting will be held in your Peoria Regional Office as you proposed.

Please advise at your earliest convenience if this revised date is acceptable.

Sincerely;

Robert N. Miller, P.E.

General Manager

Bob Nille

Product and Process Improvement

cc:

Paul Beatty, IEPA Ralph P. End, KCI

Andrew R. Running, K&E

Mary A. Gade, Director 217/782-8604 TDD 217/782-9143 2200 Churchill Road, Springfield, IL 62794-9276

Received 10: 30 A.M. Ma, 1/

2-17-97

RNM

February 13, 1997

CERTIFIED MAIL 7344342835
RETURN RECEIPT REQUESTED

Keystone Steel & Wire Company Attention: R.N. Miller, P.E. 7000 S.W. Adams Street Peoria, Illinois 61641

Re: Compliance Commitment Agreement Rejection

Violation Notice, L-1996-01181 1430050001 -- Peoria County Keystone Steel & Wire Company Compliance File

Dear Mr. Miller:

The Illinois Environmental Protection Agency ("Illinois EPA") **REJECTS** the Compliance Commitment Agreement ("CCA") proposed by Keystone Steel & Wire Company and dated January 29, 1997 in response to the Violation Notice number, **L-1996-01181**, dated January 8, 1997.

The proposed CCA dated January 29, 1997 is rejected because it fails to adequately address the following:

- 1. The response does not adequately address the apparent violations for the storage of the radioactive arc dust (K061) in containers and tanks. RCRA closure for these areas has not been completed and there is no Part B permit for those activities. [Section 703.121(a), Section 703.121(b), and Section 21(f).]
- 2. The response does not adequately address the apparent violations for failing to label containers of hazardous waste with accumulation dates so as to qualify for the exemption from RCRA permitting for accumulating hazardous waste on-site in containers and tanks for 90 days or less. [Section 703.121(a), Section 703.121(b), Section 722.134(a), and Section 21(f).]
- 3. The response does not adequately address the hazardous waste from the spill of spent pickle liquor (K062), the failure to make a proper waste determination of that waste, its subsequent shipment off-site without a proper manifest and land disposal notification, its shipment for disposal at a nonhazardous waste landfill, the failure to include the waste on the facility's

annual report, and failure to manage the facility to control sudden planned or unplanned releases of hazardous waste or hazardous waste constituents to the environment to qualify for the exemption from RCRA permitting for accumulating hazardous waste on-site in containers and tanks for 90 days or less. [Section 703.121(a), Section 703.121(b), Section 722.111, Section 722.112(c), Section 722.120(a), Section 722.120(b), Section 722.121(a), Section 722.122, Section 722.123(a), Section 722.123(b), Section 722.134(a), Section 722.141(a), Section 725.131, Section 728.107(a), Section 728.107(a)(1), Section 21(e), Section 21(f) and Section 21(i).]

5. The response does not adequately address the failure to list all waste codes on the 1995 annual report for the waste naphtha. [Section 722.141(a) and Section 21(i).]

Because the violations remain the subject of disagreement between the Illinois EPA and Keystone Steel & Wire Company, this matter will be considered for referral to the Office of the Attorney General, the State's Attorney of Peoria County or the United States Environmental Protection Agency for formal enforcement action and the imposition of penalties.

The Illinois EPA accepts the request for a meeting, which was included in the response dated January 29, 1997. The Illinois EPA proposes that this meeting be held on March 4, 1997 at 10:30 a.m. at the Peoria Regional Office, 5415 North University, Peoria, Illinois 61614. At the meeting, there will be an opportunity to respond to each of the alleged violations, suggested resolutions, and suggested implementation time frames listed in Violation Notice, L-1996-01181, and to suggest alternate resolutions.

Pursuant to Section 31(a)(5) of the Illinois Environmental Protection Act (Act), 415 ILCS 5/31(a)(5), within 21 days following the meeting, or within an extended time period as agreed to by the Illinois EPA, Keystone Steel & Wire Company must submit by certified mail to the Illinois EPA a written response to the alleged violations. The written response must include:

- 1. Additional information in rebuttal, explanation or justification of each alleged violation;
- 2. A proposed CCA that includes specified time frames for achieving each commitment, and which may consist of a statement indicating that the person complained against believes that compliance has been achieved; and
- 3. A statement indicating that, should the person complained against so wish, the person complained against chooses to rely upon the initial written response submitted pursuant to Section 31(a)(2) of the Act, 415 ILCS 5/31(a)(2).

Failure to respond in accordance with the requirements of Section 31(a)(5) above will be considered a waiver of the requirements of Section 31(a), and the Illinois EPA may proceed with a referral to a prosecutorial authority.

Within 30 days of the Illinois EPA's receipt of the written response to the meeting, the Illinois EPA will provide in writing its acceptance, rejection, or proposed modification to the proposed CCA

within the written response.

Written communications should be directed to:

Illinois EPA
Attn: Paul Beatty
Bureau of Land #24
Post Office Box 19276
Springfield, Illinois 62794-9276

All communications must include reference to this VIOLATION NOTICE NUMBER, L-1996-01181.

Questions regarding this matter should be directed to JOHN TRIPSES at 309/693-5462.

Sincerely,

David C. Jansen, Acting Manager

Field Operations Section

Bureau of Land

DCJ:JGT



January 29, 1997

Mr. Paul Beatty
Illinois Environmental Protection Agency
Bureau of Land No. 24
P. O. Box 19276
Springfield, Illinois 62794-9276

Re: Violation Notice No. L-1996-01181

Dear Mr. Beatty:

Keystone Steel & Wire Co. hereby requests a meeting with representatives of Illinois EPA to discuss the alleged violations detailed in your January 8, 1997 Notice and the company's responsive actions.

Keystone responds as follows to the alleged violations set forth in Attachment A to the January 8, 1997 Notice:

Radioactive Arc Dust Storage (Alleged Violation Nos. 1-2, 17)

Keystone promptly notified and consulted with both the Illinois Department of Nuclear Safety (IDNS) and IEPA upon discovering that some third party had illegally disposed of radioactive material in scrap steel purchased by Keystone for recycling. Counsel for IEPA advised Keystone on March 4, 1993 that IDNS was the responsible agency: "At the present time, your waste has been determined by the Illinois Department of Nuclear Safety to be radioactive. Therefore, Keystone does not need to apply for a RCRA provisional variance as defined in 35 III. Adm. Code § 722.134" (Letter from Donna Grant to Ralph End, attached hereto as Ex. A). Keystone accordingly complied with IDNS directives thereafter. After completing the off-site disposal of the hazardous radioactive waste at issue, Keystone met with IEPA representatives on May 24, 1995 to update IEPA on the resolution of the problem and to discuss IEPA's requirements for verifying clean closure of the storage areas of potential concern. Keystone submitted a formal RCRA Closure Plan along with additional closure verification documents on June 30, 1995. IEPA approved that closure plan on September 28, 1995. Keystone's consultant, Lake Engineering, submitted a RCRA Closure Documentation Report confirming clean closure of the areas of concern on December 22, 1995. Keystone has yet to receive any response from IEPA to that report.

Referring to item one of the corrective actions listed on Attachment A of your January 8, 1997, Notice, Keystone does not understand why IEPA believes any further action is needed to

"[c]omplete the RCRA closure of the unpermitted container and tank storage areas where the radioactive arc dust was stored...." IEPA has never informed Keystone of any deficiencies in the December 22, 1995 Closure Documentation Report. Keystone accordingly has no reason to believe that any further closure work is necessary or required.

June 5, 1995 Spill From Acid Recovery Building (Alleged Violation Nos. 3-10, 12-16, 18)

Keystone does not agree with the assumptions made by the IERA throughout the January 8, 1997 Notice that the acid spilled on June 5, 1995 was spent pickle liquor (K062). The RCRA regulations define "spent material" to be "any material that has been used and as a result of contamination can no longer serve the purpose for which it was produced without processing." 35 IAC § 721.101 (c)(1) (emphasis added).

The sulfuric acid that was spilled was not "spent". Keystone sends pickling acid to acid recovery before it is "spent" to optimize the acid recovery process. The batch of acid spilled on June 5th contained 8.9% iron, substantially below the maximum concentration for cleaning effectiveness. (See 3rd Shift Log Entry for 6/4/95, attached hereto as Ex. B). Accordingly, it could still have been used for "the purpose for which it was produced without processing". Therefore, it was not "spent" under the RCRA regulations, and it was not a listed hazardous waste (K062).

IEPA does not contend the soil removed from the acid spill area was characteristic of hazardous waste. To the contrary, the PDC test results provided to Keystone on July 11, 1995 and attached to the January 8, 1997 Notice show heavy metal levels more than two orders of magnitude below the hazardous thresholds.

Keystone, therefore, disputes the IEPA's alleged violations relating to the June 5, 1995 acid spill. To avoid any further disputes with IEPA over this subject, however, Keystone is prepared to consider the Agency's views on how similar incidents should be handled in the future.

90-Day Storage Limitation for Mid Mill Waste Accumulation Area (Alleged Violation No. 11)

The enclosed weekly inspection logs and waste disposal manifests for the three months preceding the July 30, 1996 inspection confirm that Keystone did not store any hazardous wastes in the Mid Mill storage area for more than 90 days (Ex. C attached hereto). If the accumulation dates on the drums in this area were not clearly visible during the July 30th inspection, Keystone will make sure that problem does not recur in the future. It is unclear from the January 8, 1997 Notice whether IEPA is alleging any other violations with respect to the company's hazardous waste storage practices at the Mid Mill accumulation area, but Keystone is prepared to implement any additional labeling or record keeping recommendations the Agency suggests.

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/785-8604 TDD 217/782-9143

CERTIFIED MAIL P344 34/908
RETURN RECEIPT REQUESTED

January 8, 1997

Keystone Steel & Wire Company Attn: Dale Bennington 7000 S. Adams Peoria, Illinois 61641-0002

Re: Violation Notice, L-1996-01181 1430050001 -- Peoria County Keystone Steel & Wire Company Compliance File

Dear Mr. Bennington:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act, 415 ILCS 5/31(a)(1), and is based upon an inspection completed on July 30, 1996 by a representative of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of violations of environmental statutes, regulations, or permits as set forth in Attachment A to this letter. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the violations cited, please be advised that resolution of the violations may require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. The response must address each violation specified in Attachment A and include for each an explanation of the activities that will be implemented and the time schedule for the completion of that activity. Also, if a pollution prevention activity will be implemented, indicate that intention in any written response. The written response will constitute a proposed Compliance Commitment Agreement ("CCA") pursuant to Section 31 of the Act. The Illinois EPA will review the proposed CCA and will accept or reject it within 30 days of receipt.

Other apparent violations from an inspection conducted on February 22, 1985 and cited in a letter dated April 15, 1985, from an inspection conducted on February 23, 1988 and cited in a letter dated April 15, 1988, and from an inspection conducted on November 28, 1988 and cited in a letter dated March 29, 1989 remain unresolved.

Printed on Recycled Paper

Page 2 Violation Notice

If a timely written response to this Violation Notice is not provided, it shall be considered to be a waiver of the opportunity to respond and to meet and the Illinois EPA may proceed with a referral to the prosecutorial authority.

Written communications should be directed to:

Illinois EPA Attn.: Paul Beatty Bureau of Land #24 Post Office Box 19276 Springfield, Illinois 62794-9276

All communications must include reference to this VIOLATION NOTICE NUMBER, L-1996-01181.

Questions regarding this matter should be directed to JOHN TRIPSES at 309/693-5462.

Sincerely,

David C. Jansen, Acting Manager

Field Operations Section

David C.

Bureau of Land

DCJ:JT:PB:rmi\965312.WPD

Enclosure

ATTACHMENT A

- 1. Pursuant to 35 Ill. Adm. Code 703.121(a), no person shall conduct any hazardous waste storage, hazardous waste treatment or hazardous waste disposal operation:
 - 1) Without a RCRA permit for the HWM (hazardous waste management) facility; or
 - 2) In violation of any condition imposed by a RCRA permit.

This represents an apparent violation of 35 Ill. Adm. Code 703.121(a) for the following reason: Keystone stored radioactive arc dust (K061) in containers and tanks without a RCRA permit. Keystone failed to comply with the requirements of Section 722.134(a) and no longer qualifies for the exemption from RCRA permitting for generators who accumulate waste on-site for 90 days or less.

2. Pursuant to 35 Ill. Adm. Code 703.121(b), owners and operators of HWM units shall have permits during the active life (including the closure period) of the unit. Owners and operators of surface impoundments, landfills, land treatment units and waste pile units that received wastes after July 26, 1982, or that certified closure (according to 35 Ill. Adm. Code 725.215) after July 26, 1983, shall have post-closure permits, unless they demonstrate closure by removal as provided under Sections 703.159 and 703.160. If a post-closure permit is required, the permit must address applicable 35 Ill. Adm. Code 724 groundwater monitoring, unsaturated zone monitoring, corrective action and post-closure care requirements.

This represents an apparent violation of 35 Ill. Adm. Code 703.121(b) for the following reason: Keystone stored radioactive arc dust (K061) in containers and tanks without a RCRA permit. Keystone failed to comply with the requirements of Section 722.134(a) and no longer qualifies for the exemption from RCRA permitting for generators who accumulate waste on-site for 90 days or less.

- 3. Pursuant to 35 Ill. Adm. Code 722.111, a person who generates a solid waste, as defined in Section 721.102, must determine if that waste is a hazardous waste using the following method:
 - a) The person should first determine if the waste is excluded from regulation under 35 Ill. Adm. Code 721,104.
 - b) The person should then determine if the waste is listed as a hazardous waste in 35 Ill. Adm. Code 721.Subpart D.

Board Note: Even if a waste is listed, the generator still has an opportunity under 35 Ill. Adm. Code 720.122 to demonstrate that the waste from the generator's particular facility or operation is not a hazardous waste.

c) For purposes of compliance with 35 Ill. Adm. Code 728, or if the waste is not listed as a hazardous waste in 35 Ill. Adm. Code 721. Subpart D the generator shall then determine whether the waste is identified in 35 Ill. Adm. Code 721. Subpart C by either:

Page 2

- 1) Testing the waste according to the methods set forth in 35 Ill. Adm. Code 721. Subpart C, or according to an equivalent method approved by the Board under 35 Ill. Adm. Code 720.121; or
 - 2) Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.
- d) If the generator determines that the waste is hazardous, the generator shall refer to 35 Ill. Adm. Code 724, 725 and 728 for possible exclusions or restrictions pertaining to the management of the specific waste.

This represents an apparent violation of 35 Ill. Adm. Code 722.111 for the following reason: Keystone failed to make the correct hazardous waste determination of the waste material from the clean-up of the spent pickle liquor (K062). Keystone failed to make a waste determination of the five barrels of unknown waste in the hazardous waste accumulation area in the Mid Mill Building.

- 4. Pursuant to 35 Ill. Adm. Code 722.112(c), a generator must not offer his hazardous waste to transporters or to treatment, storage or disposal facilities that have not received an EPA identification number.
 - This represents an apparent violation of 35 Ill. Adm. Code 722.112(c) for the following reason: Keystone sent the hazardous waste from the spill and clean-up of the spent pickle liquor (K062) to a disposal facility that did not have a USEPA Identification Number.
- 5. Pursuant to 35 Ill. Adm. Code 722.120(a), a generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage or disposal must prepare a manifest before transporting the waste off-site.
 - This represents an apparent violation of 35 Ill. Adm. Code 722.120(a) for the following reason: Keystone sent the hazardous waste from the spill and clean-up of the spent pickle liquor (K062) to a disposal facility without using a manifest.
- 6. Pursuant to 35 Ill. Adm. Code 722.120(b), a generator must designate on the manifest one facility which is permitted to handle the waste described on the manifest.

This represents an apparent violation of 35 Ill. Adm. Code 722.120(b) for the following reason: Keystone sent the hazardous waste from the spill and clean-up of the spent pickle liquor (K062) off-site without designating on the manifest one facility which is permitted to handle the waste.

7. Pursuant to 35 Ill. Adm. Code 722.121(a), if the State of Illinois is the state to which the shipment is manifested (consignment state), the generator shall use the manifest supplied by the Agency.

This represents an apparent violation of 35 Ill. Adm. Code 722.121(a) for the following reason: Keystone sent the hazardous waste from the spill and clean-up of the spent pickle liquor (K062) off-site without using the manifest supplied by the Agency.

Pursuant to 35 III. Adm. Code 722.122, the manifest consists of at least that number of copies that will provide the generator; each transporter; and the owner or operator of the designated receiving treatment, storage, or disposal facility each with one copy for their records, plus provide one copy to be returned to the generator, plus provide two copies to be sent to the Agency, one by each the generator and the receiving treatment, storage, or disposal facility owner or operator.

This represents an apparent violation of 35 Ill. Adm. Code 722.122 for the following reason: Keystone sent the hazardous waste from the spill and clean-up of the spent pickle liquor (K062) off-site without using the manifest supplied by the Agency.

- 9. Pursuant to 35 Ill. Adm. Code 722.123(a), the generator shall:
 - 1) Sign the manifest certification by hand; and
 - 2) Obtain the handwritten signature of the initial transporter and the date of acceptance on the manifest; and
 - Retain one copy of the manifest in accordance with the requirements of Section 722.140(a); and
 - 4) Send one copy of the manifest to the Agency within two working days.

This represents an apparent violation of 35 Ill. Adm. Code 722.123(a) for the following reason: Keystone sent the hazardous waste from the spill and clean-up of the spent pickle liquor (K062) off-site without signatures on the manifest, without retaining one copy of the manifest, and without sending a copy of the manifest to the Agency.

10. Pursuant to 35 Ill. Adm. Code 722.123(b), the generator shall give the transporter all remaining copies of the manifest.

This represents an apparent violation of 35 Ill. Adm. Code 722.123(b) for the following reason: Keystone sent the hazardous waste from the spill and clean-up of the spent pickle liquor (K062) off-site without giving copies of the manifest to the transporter.

- 11. Pursuant to 35 Ill. Adm. Code 722.134(a), except as provided in subsections [722.134](d), (e), or (f), a generator is exempt from all the requirements in 35 Ill. Adm. Code 725.Subparts G and H, except for 35 Ill. Adm. Code 725.211 and 725.214, and may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:
 - 1) The waste is placed:
 - A) In containers and the generator complies with 35 Ill. Adm. Code 725. Subparts I, AA, BB, and CC; or
 - B) In tanks and the generator complies with 35 Ill. Adm. Code 725. Subpart J (except 35 Ill. Adm. Code 725.297(c) and 725.300), AA, BB, and CC; or
 - C) On drip pads and the generator complies with 35 Ill. Adm. Code 725. Subpart W and maintains the following records at the facility:
 - i) A description of the procedures that will be followed to ensure that all wastes are removed from the drip pad and associated collection system at least once every 90 days; and
 - ii) Documentation of each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system and the date and time of removal; or
 - D) In containment buildings and the generator complies with 35 Ill. Adm. Code 725. Subpart DD (has placed its Professional Engineer (PE) certification that the building complies with the design standards specified in 35 Ill. Adm. Code 725.1101 in the facility's operating record prior to the date of initial operation of the unit). The owner or operator shall maintain the following records at the facility:
 - i) A written description of procedures to ensure that each waste volume remains in the unit for no more than 90 days, a written description of the waste generation and management practices for the facility showing that they are consistent with respecting the 90 day limit, and documentation that the procedures are complied with; or
 - ii) Documentation that the unit is emptied at least once every 90 days.

- 2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
- 3) While being accumulated on-site, each container and tank is labeled or marked clearly with the words "Hazardous Waste", and
- 4) The generator complies with the requirements for treatment, storage, and disposal facility owners or operators in 35 Ill. Adm. Code 725. Subparts C and D and with 35 Ill. Adm. Code 725.116 and 728.107(a)(4).

This represents an apparent violation of 35 Ill. Adm. Code 722.134(a) in that items 2 and 4 above were not complied with.

Specifically, the requirements of item 1 and/or 4 above (listed by regulation) which were not complied with, as well as the deficiencies observed, are: Section 725.131 was not complied with.

- 12. Pursuant to 35 Ill. Adm. Code 722.141(a), a generator who ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States shall prepare and submit a single copy of an annual report to the Agency by March 1 for the preceding calendar year. The annual report must be submitted on a form supplied by the Agency, and must cover generator activities during the previous calendar year, and must include the following information:
 - 1) The USEPA identification number, name and address of the generator;
 - 2) The calendar year covered by the report;
 - The USEPA identification number, name and address for each off-site treatment, storage or disposal facility in the United States to which waste was shipped during the year;
 - 4) The name and USEPA identification number of each transporter used during the reporting year for shipments to a treatment, storage or disposal facility within the United States;
 - 5) A description, USEPA hazardous waste number (from 35 Ill. Adm. Code 721. Subpart C or D), DOT hazard class and quantity of each hazardous waste shipped off-site for shipments to a treatment, storage or disposal facility within the United States. This information must be listed by EPA identification number of each off-site facility to which waste was shipped;
 - 6) A description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated;

- A description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for years prior to 1984;
- 8) The certification signed by the generator or the generator's authorized representative.

This represents an apparent violation of 35 Ill. Adm. Code 722.141(a) for the following reason: Keystone failed to include on its 1995 annual report the shipments off-site of hazardous waste from the spill and clean-up of spent pickle liquor (K062). Keystone failed to include on its 1995 annual report all the waste codes for the Waste Petroleum Naphtha. The manifest listed D001, D006, D008, D018, D035, D039, D040 but the annual report listed only D001.

13. Pursuant to 35 Ill. Adm. Code 725.131, facilities must be maintained and operated to minimize the possibility of a fire, explosion or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water which could threaten human health or the environment.

This represents an apparent violation of 35 Ill. Adm. Code 725.131 for the following reason: By sending the hazardous waste from the spill and clean-up of the spent pickle liquor (K062) to a nonhazardous waste landfill (Peoria City-County Landfill). Keystone failed to avoid sudden planned or unplanned releases of hazardous waste to the environment.

14. Pursuant to 35 Ill. Adm. Code 728.107(a), except as specified in Section 728.132 or 728.143, the generator shall test the generator's waste, or test an extract developed using the test method described in Appendix A, or use knowledge of the waste, to determine if the waste is restricted from land disposal under this Part.

This represents an apparent violation of 35 Ill. Adm. Code 728.107(a) for the following reason(s): Keystone failed to determine if the hazardous waste generated from the spill and clean-up of the spent pickle liquor (K062) was restricted from land disposal.

- 15. Pursuant to 35 Ill. Adm. Code 728.107(a)(1), if a generator determines that the generator is managing a restricted waste under this Part and determines that the waste does not meet the applicable treatment standards set forth in Subpart D or exceeds the applicable prohibition levels set forth in Section 728.132 or 728.139, with each shipment of waste the generator shall notify the treatment or storage facility in writing of the appropriate treatment standard set forth in Subpart D and any applicable prohibition levels set forth in Section 728.132 or 728.139. The notice must include the following information:
 - A) USEPA Hazardous Waste Number;
 - B) The corresponding treatment standard and all applicable standards set forth in Section 728.132 or 728.139;

- C) The manifest number associated with the shipment of waste; and
- D) Waste analysis data, where available.

Pursuant to 35 Ill. Adm. Code 728.107(a)(2), if a generator determines that the generator is managing a restricted waste under this Part, and determines that the waste can be land disposed without further treatment, with each shipment of waste the generator shall submit, to the treatment, storage or land disposal facility, a notice and a certification stating that the waste meets the applicable treatment standards set forth in Subpart D and the applicable prohibition levels set forth in Section 728.132 or 728.139.

- A) The notice must include the following information:
 - i) USEPA Hazardous Waste Number;
 - ii) The corresponding treatment standard;
 - iii) The manifest number associated with the shipment of waste; and
 - iv) Waste analysis data, where available.
- B) The certification must be signed by an authorized representative and must state the following:

I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 35 Ill. Adm. Code 728 Subpart D and all applicable prohibitions set forth in 35 Ill. Adm. Code 728.132, 728.139 or section 3004(d) of the Resource Conservation and Recovery Act. I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

This represents an apparent violation of 35 Ill. Adm. Code 728.107(a) or 35 Ill. Adm. Code 728.107(a) for the following reason: Keystone failed to notify the disposal facility if the hazardous waste generated from the spill and clean-up of the spent pickle liquor (K062) did or did not meet the treatment standard.

16. Pursuant to Section 21(e) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(e)), no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

This represents an apparent violation of Section 21(e) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(e)) for the following reason: Keystone disposed of the hazardous waste generated from the spill and clean-up of spent pickle liquor (K062) at a facility (Peoria City-County Landfill) that did not have a permit to accept that waste.

- 17. Pursuant to Section 21(f) of the [Illinois] Environmental Protection Act (415 ILCS 5/12(f)), no person shall conduct any hazardous waste-storage, hazardous waste-treatment or hazardous waste-disposal operation:
 - Without a RCRA permit for the site issued by the Agency under subsection (d) of Section 39 of this Act, or in violation of any condition imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder; or
 - 2. In violation of any regulations or standards adopted by the Board under this Act; or
 - 3. In violation of any RCRA permit filing requirement established under standards adopted by the Board under this Act;
 - 4. In violation of any order adopted by the Board under this Act.

Notwithstanding the above, no RCRA permit shall be required under this subsection or subsection (d) of Section 39 of this Act for any person engaged in agricultural activity who is disposing of a substance which has been identified as a hazardous waste, and which has been designated by Board regulations as being subject to this exception, if the substance was acquired for use by that person on his own property and the substance is disposed of on his own property in accordance with regulations or standards adopted by the Board.

This represents an apparent violation of Section 21(f) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(f)) for the following reason: Keystone stored radioactive arc dust (K061) in containers and tanks without a RCRA permit. Keystone failed to comply with the requirement of Section 722.134(a) and no longer qualifies for the exemption from RCRA permitting for generators who accumulate waste on-site for 90 days or less.

18. Pursuant to Section 21(i) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(i)), no person shall conduct any process or engage in any act which produces hazardous waste in violation of any regulations or standards adopted by the Board under subsection (a) and (c) of Section 22.4 of this Act.

This represent an apparent violation of Section 21(i) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(i)) for the following reason: Keystone generated hazardous waste from the spill and clean-up of spent pickle liquor (K062) and failed to comply with the requirements of regulations adopted by the Board under subsections (a) and (c) of Section 22.4 of the Act.

CORRECTIVE ACTIONS

To comply with the requirements of Section 703.121(a), Section 703.121(b), Section 722.111, Section 722.112(c), Section 722.120(a), Section 722.120(b), Section 722.121(a), Section 722.122, Section 722.123(a), Section 722.123(b), Section 722.134(a)(2), Section 722.134(a)(4), Section 725.131, Section 728.107(a), Sections 728.107(a)(1) or Section 728.107(a)(2), Section 21(e), Section 21(f), and Section 21(i) you must do the following:

- 1. Complete the RCRA closure of the unpermitted container and tank storage areas where the radioactive arc dust was stored in accordance with the approved Closure Plan Log No. C-754.
- 2. Immediately, comply with the Section 722.134(a)(2) and mark all 90 day containers of hazardous waste with accumulation dates.
- 3. Immediately, comply with Section 722.111 and make the required hazardous waste determination for all solid wastes generated by your facility.
- 4. Immediately, comply with Section 722.120(a), Section 722.120(b), Section 722.121(a), Section 722.122, Section 722.123(a), Section 722.123(b) and Section 21(i) and cease sending hazardous waste off-site without a manifest.
- 5. Immediately, comply with Section 722.112(c), 722.120(b) 722.134(a)(4), Section 725.131, Section 21(e) and Section 21(f) and cease sending hazardous waste off-site to a disposal facility that does not have a permit to accept hazardous waste.
- 6. Immediately, comply with Section 728.107(a) and Section 728.107(a)(1) or Section 728.107(a)(2) and determine if your hazardous waste is restricted from land disposal and submit the required notification form to the disposal facility.
- 7. By February 1, 1997, comply with Section 722.141(a) and submit a corrected copy of your facility's 1995 annual report showing the correct hazardous waste codes for the waste naphtha and the hazardous waste from the spill and clean-up of the spent pickle liquor.

Due to the nature and seriousness of violations cited in Attachment A, please be advised that resolution of the violations may require the involvement of a prosecutorial authority for purposes that my include, among others, the imposition of statutory penalties.

DCJ:JT:PB:rmi\965313.WPD



August 3, 1995

Illinois Environmental Protection Agency Emergency Response Unit, Mail Drop #29 P.O. Box 19276 2200 Churchill Rd. Springfield, Illinois 62794-9276 ATTN: Charles W. Brutlag

RE: Keystone Steel & Wire Co. K062 Final Spill Report for Incident #951191 occurring on 6-

5-95

Dear Mr. Brutlag,

In response to your June 13, 1995 letter concerning our reported acid spill on June 5, 1995, I am sending you the Final Report for Incident #951191. The information summarized below is the chain of events that took place on June 5, 1995 in response to the K062 spill.

At approximately 11:20 a.m. on June 5, 1995, a valve ruptured in Keystones Acid Recovery Building causing a release of approximately 300 gallons of high-iron spent acid (K062) outside the building containment to a small area east and south of the building. Keystone responded at 11:30 a.m. by sandbagging around the storm drain outside the building and spreading lime over the affected area to neutralize the acid. The Emergency Coordinator (Jack Skelley 697-7538) was notified at 11:40 a.m. and arrived on-scene at 11:47 a.m. PDC Response was called to cleanup the acid spill and take over the emergency response effort. The area was secured by Keystone Security and remains secured until confirmation sample analyses are completed. No injuries were recorded to either Keystone or PDC personnel. The following is the information required by the Keystone Contingency Plan for Hazardous Waste Storage:

Emergency Coordinator: (Jack) John R. Skelle

(Jack) John R. Skelley (309) 697-7538

· 143 05 001

Spill location: Keystone Steel & Wire Co.

7000 SW Adams Street

Peoria, IL 61641

Acid Recovery Building

Date, Time 6-5-95, around 11:20 a.m.

Type of Incident Ruptured valve on high iron content spent acid line

at Acid Recovery Building.

---- " #1#41-0000 /200/ R07-7020 FAX (309) 607-7422

Material and Quantities involved

high iron content spent sulfuric acid (K062)

300 gallons

Injuries

None

Possible hazards to human health and environment outside Keystone

None, spill affected only Keystone property

Property

Estimated quantity and disposition

96 cu.yds. of soil, lime, and pavement material was removed during cleanup and manifested to PDC.

Enclosed are the PDC manifests showing the disposal of the cleanup material, and the PDC laboratory report on the soil samples taken after the cleanup was completed. The sample results show the cleanup successfully removed all the K062 material and the remaining soils are within the IAC 728 Land Disposal Restrictions for K062.

Keystone wishes to consider this matter closed with the receipt of the disposal manifests and the satisfactory laboratory results from the confirmatory soil samples. If there are any questions concerning this incident, please give me a call at (309) 697-7538.

Sincerely,

(Jack) John R. Skelley Design Engineer

Enclosures

cc:

John Tripses - IEPA

Bob Miller - Keystone

Dale Bennington - Keystone

Jim Zilch - Keystone

951191fl.wpd

F.O. BOX 19276

State Form | LPC 82 8/81

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		009848193 US EPA ID Number					
	9. Designated Facility Name and Site Address 10. Peoria City/County Landfill Box 99 AA RR #2	US EPA ID Number					
	Brimfield, IL 61517 11. US DOT Description (Including Proper Shipping Name, Hazard Class,	and ID Number)	12. Contair		13. Total	14. Unit	
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Grate Form LPC 42 641 H.532-0410

P.O. BOX 19278 SPRINGFIELD, ILLINOIS 62764-8278 (217) 782-8781 FOR SHIPMENT OF HAZAROGUE TEE

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Mary A. Gade, Director

5415 North University, Peoria, IL 61614

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OFFICE OF RORA

EPA. Burning

309/693-5462

June 10, 1996

Refer to: 1430050001 -- Peoria County

Keystone Steel & Wire Company

ILD000714881 C-96-081-P

FOS

Lorna M. Jerza, Chief Illinois/Indiana Section Enforcement and Compliance Assurance Branch 77 West Jackson Boulevard Chicago, Illinois 60604-3509

Dear Ms. Jerza:

This letter is in response to your letter, dated May 31, 1996, and sent to Glenn Savage of the Illinois Environmental Protection Agency, regarding an anonymous citizen complaint alleging "illegal disposal and lead problems" at Keystone Steel and Wire Company (ILD000714881). In order to properly investigate this complaint, it is would be valuable to know what was illegally disposed, where it was illegally disposed, and when it was illegally disposed. If you or your staff has any additional information from the anonymous complainant, please send it to the undersigned at the address listed above. If no additional information is available, the Illinois Environmental Protection Agency will continue to monitor the compliance of Keystone Steel & Wire Company during annual Compliance Evaluation Inspections.

If you have any questions, please feel free to contact the undersigned at the telephone number listed above.

Sincerely,

Khn G. Tripses, P.E., Manager

Peoria Region Office Field Operations Section

Division of Land Pollution Control

Bureau of Land

JGT

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cc: BOL Records Unit DLPC/FOS-Peoria Files Dave Jansen, DLPC/FOS #24

FOR SHIPMENT OF HAZARDOUS AND SPECIAL WASTE

SE TYPE: (Form designed for use on sitte (1	State Form LPC 62 6/81 2-pitch) typewriter.] ALEQUE EPA Form 8700	1.532-0610 7 1-22 (Rev. 8-85)	,77 4	PECIAL WASTE 48 No. 2060-0030, Expires 9-30.
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ENVIRONMENTAL PROJECTION AMERICA CIVISION OF CONDITIONAL CONTINUE P.O. BOX 19276

SPRINGFIELD, ILLINOIS 82794-8276 (217) 782-8761

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	Keystone Steel & Wire				
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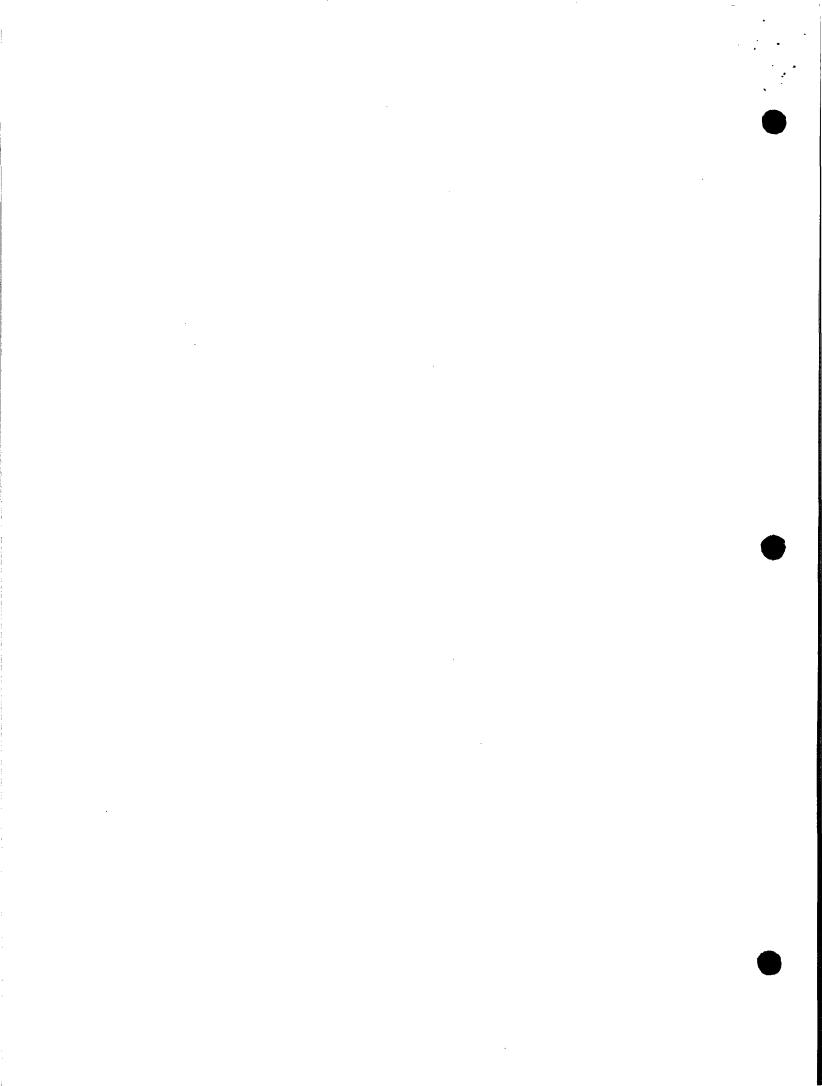


LETTER OF TRANSMITTAL

Date () 1/ 1995

To: Jack

	Attached under separate c	
Report Proposal Samples	Permits Plan Specifications	Drawings Prints Copies
Other:		
THESE ARE TRANSMITTED as o	checked below:	
For approval For review and comme For your use For your information For release	ent Ap	proved as submitted proved as noted turned for corrections requested sapproved
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Copy to: Jile P.O. Box 9071	Signed:	ecretary
Peoria, IL 61612-9071 24 Hour Hotline: (309) 674-4238	100% recycled paper	66/transmit.ltr





PDC Laboratories, Inc.

CLIENT	Keystone
DATE COLLECTED	06-21-95
DATE RECEIVED	06-21-95
DATE OF REPORT	07-05-95
SAMPLE DESCRIPTION	See Below
P.O. NUMBER	P95-026
LAB NUMBER	95060640-649
Description	pH (Units)
•	

LAB NUMBER	- DESCRIPTION	pH (Units)
95060640	#13	8,3
95060641	#14	
95060642	#15	9.2
95060643	#16	8,7
95060644	#17	8.5
95060645	#18	8.7
95060646	#19	8,9
95060647	#20	8.5
95060648	#21	8.2
95060649	#22	8.3



PDC Laboratories, Inc.

	CLIENT	Keystone	
	DATE COLLECTED	06-21-95	
	DATE RECEIVED	06-21-35	
	DATE OF REPORT	07-05-95	
	SAMPLE DESCRIPTION	#13	
	P.O. NUMBER	P95-026	
	LAB NUMBER	95060640	
LAB NUMBER	ANALYSIS	RESUI	ats
95060640	Arsenic	<0.02	mg/l
	Barium	0.42	mg/1
	Cadmium	0,01	mg/l
	Chromium	0.01	mg/l
·····	Lead	0.02	mg/1
	Mercury	<0.0003	mq/l
	Selenium	0,01	mq/1
 	Silver	<0.001	ma/1
	Arsenic Spike Recovery	111	1
	Barium Spike Recovery	97	
	Cadmium Spike Recovery	100	8
	Chromium Spike Recovery	100	\$
	Lead Spike Recovery	110	8
	Mercury Spike Recovery	97	1
	Selenium Spike Recovery	127	1
	Silver Spike Recovery	105	1

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for matrix spike bias adjustment for measured values. The rule, however, still requires laboratories to perform matrix spike recovery analysis to validate results.

Trace Metals Section Supervisor tclp_met:vgy



PDC Laboratories, Inc.

V.	/	
	CLIENT	Keystone
	DATE COLLECTED	06-21-95
	DATE RECEIVED	06-21-95
	DATE OF REPORT	07-05-95
	SAMPLE DESCRIPTION	#14
	P.O. NUMBER	P95-026
	LAB NUMBER	95060641
LAB NUMBER	ANALYSIS	RESULTS
95060641	Arsenic	
	Barium	0.12 mg/1
	Cadmium	
·	Chromium	
	Lead	
·	Mercury	<0.0003 mg/1
	Selenium	0.04mg/l
	Silver	<0.001 mg/l
	Arsenic Spike Recovery	111 4
	Barium Spike Recovery	97
	Cadmium Spike Recovery	100
	Chromium Spike Recovery	
	Lead Spike Recovery	
*····	Mercury Spike Recovery	
*************************************	Selenium Spike Recovery	
	Silver Spike Recovery	105

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for matrix spike bias adjustment for measured values. The rule, however, still requires laboratories to perform matrix spike recovery analysis to validate results.

Trace Metals Section Supervisor tclp_met:vgy



	/		
	CLIENT	Keystone	
	DATE COLLECTED	06-21-95	
	DATE RECEIVED	06-21-95	
	DATE OF REPORT	07-05-95	
	SAMPLE DESCRIPTION	\$15	
	P.O. NUMBER	P95-026	
	LAB NUMBER	95060642	
LAB NUMBER	ANALYSIS	RESUI	.TS
95060642	Arsenic	<0.02	mg/
	Barium	0.22	mg/
	Cadmium	0.01	ma/
	Chromium	0,005	ma/
	Lead	0.01	ma/
	Mercury	<0,0003	
	Selenium	0.06	mq/
	Silver	<0.001	mq/
	Arsenic Spike Recovery		•
	Barium Spike Recovery	97	- 1
	Cadmium Spike Recovery	100	- 1
	Chromium Spike Recovery	100	- 1
	Lead Spike Recovery	110	•
	Mercury Spike Recovery	97	Ą

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for matrix spike bias adjustment for measured values. The rule, however, still requires laboratories to perform matrix spike recovery analysis to validate results.

Selenium Spike Recovery Silver Spike Recovery

Trace Metals Section Supervisor tclp_met:tw

105



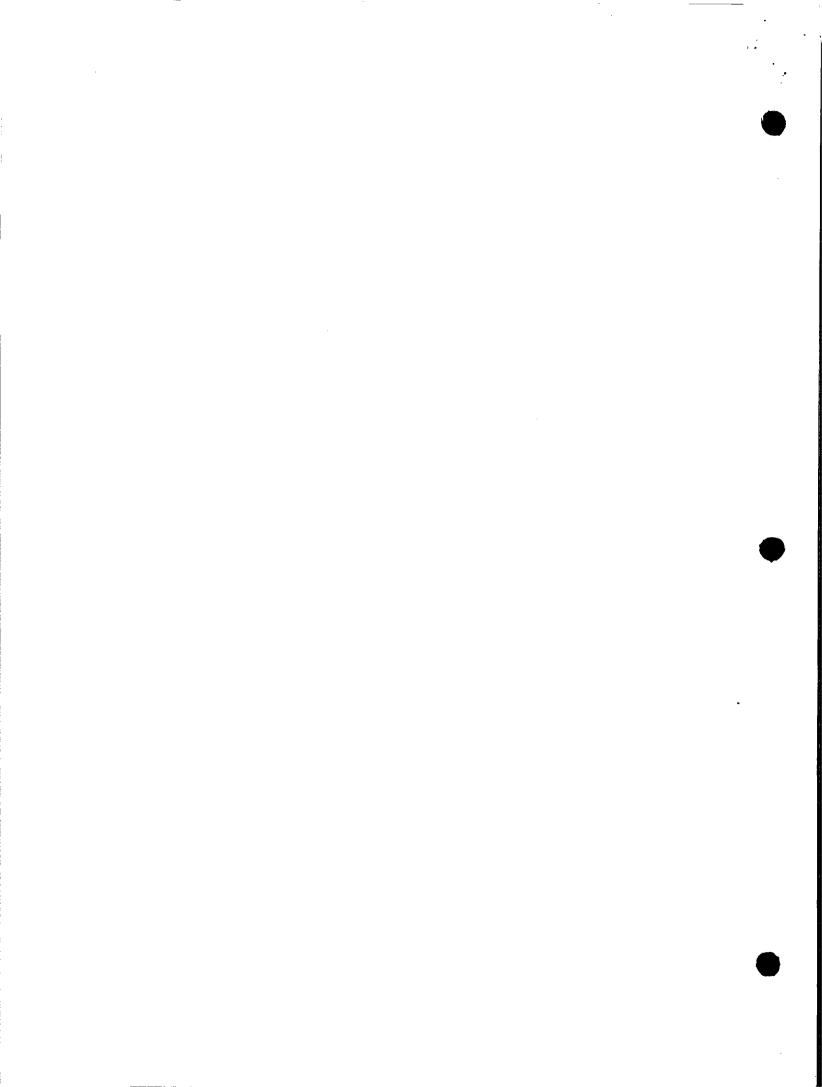
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	•		
	CLIENT	Keystone	
	DATE COLLECTED	06-21-95	
	DATE RECEIVED	06-21-95	
	DATE OF REPORT	07-05-95	
	SAMPLE DESCRIPTION	\$16	
	P.O. NUMBER	P95-026	
	Lab Number	95060643	
			
Lab Number	ANALYSIS	RESUL	TS
95060643	Arsenic	<0.02	mg/1
	Barium	0.41	mq/1
	Cadmium	0.009	
	Chromium	0,006	mg/1
	Lead	<0.01	mg/1
	Mercury	<0.0003	ma/1
	Selenium	0,03	ma/l
	Silver	<0.001	mg/1
	Arsenic Spike Recovery	111	- 1
	Barium Spike Recovery	97	-
	Cadmium Spike Recovery	100	
	Chromium Spike Recovery	100	
	Lead Spike Recovery	110	- 4
	Mercury Spike Recovery	97	ŧ

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for matrix spike bias adjustment for measured values. The rule, however, still requires laboratories to perform matrix spike recovery analysis to validate results.

Selenium Spike Recovery Silver Spike Recovery

Trace Metals Section Supervisor tclp_met:tw

105





	CLIENT DATE COLLECTED DATE RECEIVED DATE OF REPORT SAMPLE DESCRIPTION	Keystone 06-21-95 06-21-95 07-05-95	
	P.O. NUMBER LAB NUMBER	P95-026 95060644	
LAB NUMBER	ANALYSIS	RESUI	TS.
		¥	
95060644	Arsenic	<0.02	mq/
	Barium	0.26	mg/
	Cadmium	0,009	mg/
	Chromium	0.003	_mg/
	Lead	<0.01	_mg/]
	Mercury	<0.0003	_mg/1
	Selenium	0.04	_mg/]
	Silver	<0.001	mg/]
	Arsenic Spike Recovery		<u>.</u>
	Barium Spike Recovery	97	
	Cadmium Spike Recovery	100	
~ ~~~	Chromium Spike Recovery	100	

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for matrix spike bias adjustment for measured values. The rule, however, still requires laboratories to perform matrix spike recovery analysis to validate results.

Lead Spike Recovery
Mercury Spike Recovery
Selenium Spike Recovery Silver Spike Recovery

tclp_met:tw



()	7		
	CLIENT	Keystone	
	DATE COLLECTED	06-21-95	
	DATE RECEIVED	06-21-95	
	DATE OF REPORT	07-05-95	
	SAMPLE DESCRIPTION	#18	
	P.O. NUMBER	P95-026	··········
	LAB NUMBER	95060645	
LAB NUMBER	ANALYSIS	RESUI	.TS
95060645	Breenia	0.03	mg/1
93000043	Arsenic Barium	0.76	mg/1
	Cadmium	0.01	mg/1
	Chromium	0.01	mg/1
	Lead	0,06	ma/l
		<0.0003	ma/1
	Mercury	0.03	mg/1
	Selenium	<0.001	
	Silver		mq/l
	Arsenic Spike Recovery		
	Barium Spike Recovery		
	Cadmium Spike Recovery		
,	Chromium Spike Recovery		
	Lead Spike Recovery		
	Mercury Spike Recovery	97	
	Selenium Spike Recovery		
	Silver Spike Recovery	105	*

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for matrix spike bias adjustment for measured values. The rule, however, still requires laboratories to perform matrix spike recovery analysis to validate results.

Trace Metals Section Supervisor tclp met:tw



	CLIENT DATE COLLECTED DATE RECEIVED DATE OF REPORT SAMPLE DESCRIPTION P.O. NUMBER	P95-026	
	LAB NUMBER	95060646	
LAB NUMBER	ANALYSIS	RESUL	TS
95060646	Arsenic	<0.02	mg/1
	Barium	0.71	_mg/1
······································	Cacimium	0.003	mg/1
	Chromium	<0.002	ma/1
·	Lead	<0.01	mg/l
	Mercury	<0.0003	ma/1
	Selenium	<0.01	mq/1
	Silver	0,006	ma/1
	Arsenic Spike Recovery		+
	Barium Spike Recovery	97	· ·
	Cadmium Spike Recovery	100	- 1
	Chromium Spike Recovery	100	<u> </u>
	Lead Spike Recovery	110	
	Mercury Spike Recovery	97	
	Selenium Spike Recovery	127	
	Silver Spike Recovery	105	8

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for matrix spike bias adjustment for measured values. The rule, however, still requires laboratories to perform matrix spike recovery analysis to validate results.

Trace Metali Section Supervisor tclp_met:tw



	CLIENT	Kevstone	
	DATE COLLECTED_	06-21-95	
	DATE RECEIVED	06-21-95	
	DATE OF REPORT	07-05-95	
	SAMPLE DESCRIPTION		
	P.O. NUMBER	P95-026	
	LAB NUMBER	95060647	
LAB NUMBER	Analysis	RESULTS	
95060647	Arsenic	<0.02 = _	
	Barium	0.57	
	Cadmium		
	Chromium		
	Lead		
	Mercury		
	Selenium	0.03	
	Silver	<0.001 =	
	Arsenic Spike Recovery	111	
	Barium Spike Recovery	97	
	Cadmium Spike Recovery		700
	Chromium Spike Recovery	100	*2000
	Lead Spike Recovery	110	
	Mercury Spike Recovery	97	
	Selenium Spike Recovery	127	
	Silver Spike Recovery	105	

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for maximum bias adjustment for measured values. The rule, however, stimum laboratories to perform matrix spike recovery analysis to validate

Trace Metads Section



	CLIENT DATE COLLECTED DATE RECEIVED DATE OF REPORT SAMPLE DESCRIPTION	Keystone 06-21-95 06-21-95 07-05-95	
	P.O. NUMBER LAB NUMBER	P95-026 95060648	
LAB NUMBER	ANALYSIS	RESUI	TS
95060648	Arsenic	0.02	ma/1
	Barium	0.78	mq/1
	<u>Cadmium</u>	0.01	ma/1
	Chromium	0.009	ma/1
	<u>Lead</u>	<0.01	<u>ma/1</u>
	Mercury	<0.0003	ma/1
	<u>Selenium</u>	0.02	mg/1
	Silver	<0,001	mq/1
	Arsenic Spike Recovery		
	Barium Spike Recovery	97	<u> </u>
·	Cadmium Spike Recovery		
	Chromium Spike Recovery		
	Lead Spike Recovery		
	Mercury Spike Recovery	<u>97</u>	
	Selenium Spike Recovery		
	Silver Spike Recovery	105	<u> </u>

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for matrix spike bias adjustment for measured values. The rule, however, still requires laboratories to perform matrix spike recovery analysis to validate results.

tclp_met:tw

REGULATORY AUTHORITIES

- SOLID WASTE (HAZARDOUS)
 - USEPA
 - IEPA
- SOLID WASTE (NON-HAZARDOUS)
 - IEPA
- WASTEWATER (TO PUBLIC WATERS)
 - USEPA
 - IEPA
- WASTEWATER (TO MUNICIPAL FACILITIES)
 - USEPA
 - IEPA
 - LOCAL

0 MID-FILL PETTONE PTER AND WAR COPPANY FIGURE 1 SYMBOL LEGEND: SITE MAP POWER POLES . KEYSTONE STEEL AND WIRE COMPANY
BARTONVILLE, ILLINOIS ACCESS ROAD ELECTRICAL TOWER REMMEDIATION UNITS

143005001

June 23, 1995

Illinois Environmental Protection Agency Emergency Response Unit, Mail Drop #29 P.O. Box 19276 2200 Churchill Rd. Springfield, Illinois 62794-9276 ATTN: Charles W. Brutlag RECEIVED)
JUN 26 1995

I E P A
Office of Chemical Safety

RE: Keystone Steel & Wire Co. K062 Spill Report for Incident #951191 occurring on 6-5-95

Dear Mr. Brutlag,

In reponse to your June 13, 1995 letter concerning our reported acid spill on June 5, 1995, I am sending you the completed IEMA form and this letter to update your information on this incident.

At approximately 11:20 a.m. on June 5, 1995, a valve ruptured in Keystones Acid Recovery Building causing a release of approximately 300 gallons of high-iron spent acid (K062) outside the building containment to a small area east and south of the building. Keystone responded at 11:30 a.m. by sandbagging around the storm drain outside the building and spreading lime over the affected area to neutralize the acid. The Emergency Coordinator (Jack Skelley 697-7538) was notified at 11:40 a.m. and arrived on-scene at 11:47 a.m. PDC Response was called to cleanup the acid spill and take over the emergency response effort. The area was secured by Keystone Security and remains secured until confirmation sample analyses are completed. No injuries were recorded to either Keystone or PDC personnel. The following is the information required by the Keystone Contingency Plan for Hazardous Waste Storage:

Emergency Coordinator:

(Jack) John R. Skelley (309) 697-7538

Spill location:

Keystone Steel & Wire Co. 7000 SW Adams Street

Peoria, IL 61641

Acid Recovery Building

Date, Time

6-5-95, around 11:20 a.m.

Type of Incident

Ruptured valve on high iron content spent acid line

at Acid Recovery Building.

Material and Quantities involved

high iron content spent sulfuric acid (K062)

300 gallons

Injuries

None

Possible hazards to human health and environment outside Keystone Property None, spill affected only Keystone property

Estimated quantity and disposition

96 cu.yds. of soil, lime, and pavement material was removed during cleanup and manifested to PDC.

If there are any questions concerning this incident, please give me a call at (309) 697-7538.

Sincerely,

(Jack) John R. Skelley Design Engineer

951191in.wpd

Illinois Emergency Management Agency

Incident Number 9 5 1 1 9 1

Notify: ILLINOIS EMERGENCY MANAGEMENT AGENCY 1 - 800 / 782 - 7860 or 217 / 782 - 7860

	_	
FIELD	REF	ORI
Dates_06_/	05	/ 35
Times _1334		
Received by:	BC	

		THE CHEST LAW
	Caller: ACK SKRLLEY	14. On Scene Contact: J. SHELLEY
2.	Call back phones: 109/697-7538	On Scane Phone#: 697-7538
3.	Caller represents: KEYSTOWE STEEL AND WIFE	15. No. injured: [] Haz-mat related
4,	Type of incident[] Fire [4 Leak or Spill	Where taken:
	[] Explosion [] Water Involvement	16. Public health risks and/or precautions taken,
•	[] Gas or Vapor cloud [] Other	including # evacuated: ROWE
5.	Incident Location:	
	Street 7000 SW ADAMS ST.	
•	City PPORTA. 065 MIn[] Near	
: `	County PROMIA 143	17. Assistance needed from State Agencies:
	Milepost [] RR [] River [] Highway	. NORE
	Milepost [] Are [] Arei [] Infinal	
_	Sec. Twp. Range	
ο.	Area Involved: [] Highway [] Rail [] Fixed Facility	
_	[] Waterway [] Air [] Other	18. Containment/cleanup actions and plans:
r 7.	Material (s) Involved: SULPHINGLE ACID (FICKEL LIGHTSA)	CONTRACTOR RIEND
-	(ICREL SLOWER)	POC RESPONSE
	[] Gas [Liquid [] Semi-Solid [] Solid	
	[] Pesticide [] Radioactive	4399 Southport Road
	CAS#: 007664939	Peorie; IL 61615
٠.	UNNA#:	
	Is this a 302 (a) Extremely Hazardous Substance?	19: Weather: * sunny [] overcast [] night
	M Yes [] No [] Unknown.	[] prly. cldy. [] rain [] snow
	Is this a RCRA Hazardous Waste?	Temp. 80-85 F wind dir. SW speed 5-10 mph.
	MYes [] No [] Unknown	
	If Yes, in this a RCRA regulated facility?	20: Responsible Party: 13
	[] Yes N 0	
8.	Container: [] Truck [] RR car [] Drum	Contact person: 41
•••	Aboveground tank [] Pipeline	Phone #
	[] Underground tank [] Other	Mailing address: 45, 41761-6/641
		Attention of the state of the s
^	container size: 300 GALLORS	
Q.	Amount ratessed:	
10	Rate of release: VALVE RUFTURE OF TARK	Notifications: PAY, SYM, DPR. LEPA
10.	Cause of release:	NOUDCHDORE: FAX: RFR. DER. LEFA
	Market and and and an arrangement and a second	
11.	Estimated spill extent: 3500 so. Ft.	
	[square feet [] square yards	
12,	[] Occurred Date: 06/05/95 Time: 11:15	
	[Discovered Date: 06 / 05 / 95 Time: 1139	
13.	Emergency units contacted	On scene
	, [] Fire	[] Fire
•	`[]Sheriff	[] Sheriff
	[] Police	[] Police
	ESDA	[] ESDA
	Other Pearia Disposal Campany - PDC Respon	Other KEYSTONE SECURITY, ENV. ENGA. KIS
	' ' '	MGMT, WIRE MILL MAINTENANCE

Mr. Dale L. Bennington, P.E.

Keystone, Steel & Wire

Peoria, Illinois 61641

Manager, Energy & Environ. Eng.

7000 South West Adams Street

Mr. Lawrence W. Eastep, P.E.

Manager, Permit Section

2200 Churchill Road

P.O. Box 19276

Illinois Environmental Protection Agency

Div. of Land Pollution Contro, #33

Springfield, Illinois 62794-9276

MILC

ERM-North Central, Inc.



540 Lake Cook Road Suite 300 Deerfield, IL 60015 708-940-7200 708-940-9280 Fax A Member of the Environmental Resources Management Group

December 17, 1993

Mr. Michael K. Franklin Attorney General, State of Illinois Environmental Control Division 100 W. Randolph Street, 12th Floor Chicago, Illinois 60601

Mr. Joseph E. Svoboda General Counsel Illinois Environmental Protection Agency 2200 Churchill Road P.O. Box 19276 Springfield, Illinois 62794-9276

Mr. Ralph P. End, Esq. Vice President and General Counsel Keystone Consolidated Industries, Inc. Three Lincoln Centre 5430 LBJ Freeway Suite 1740 Dallas, Texas 75240

RE: People of the State of Illinois vs

Keystone Consolidated Industries, Inc.

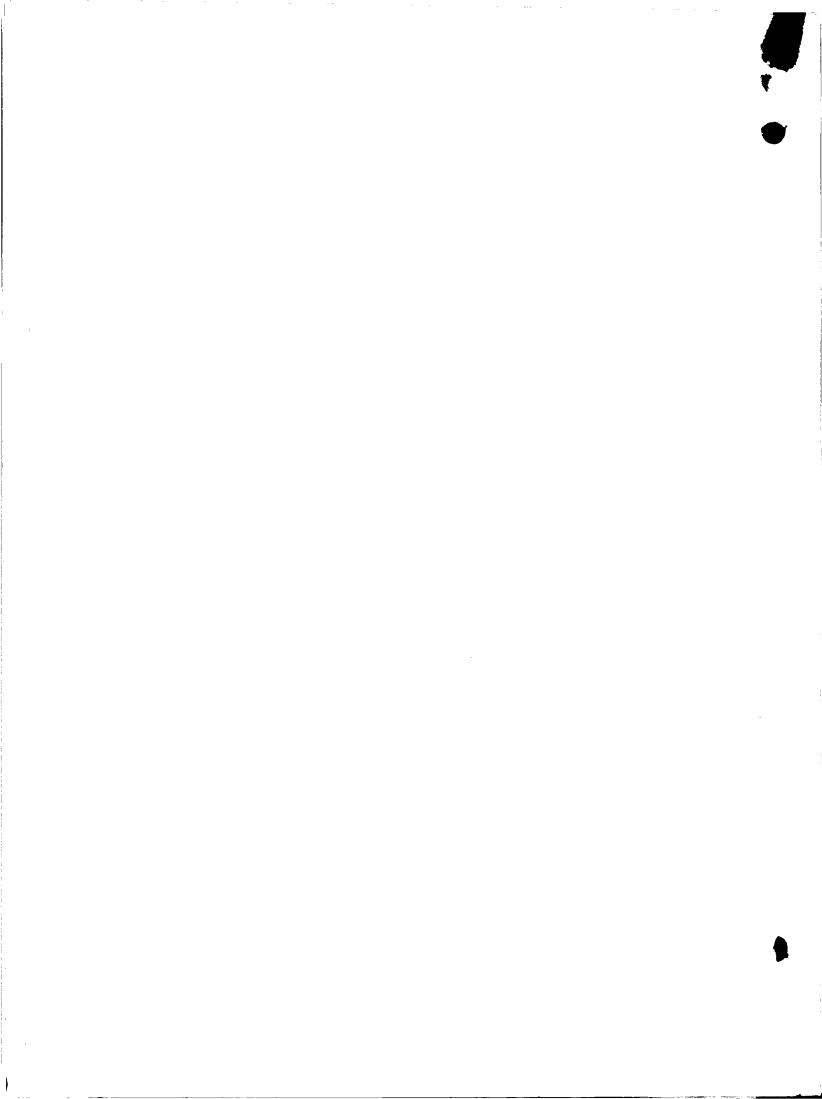
Case No. 93CH000103

Contingency Plan and Hazardous Waste Personnel Training Program

In accordance with Section XIX Notices of the Consent Order, enclosed are the above-referenced documents as specified in V.23 of the Consent Order. Three copies of each of these documents are being submitted to Mr. Lawrence Eastep and one copy each is being submitted to the remaining addressees. We are also sending one copy via Certified Mail to Mr. John Tripses of the Illinois Environmental Protection Agency, Field Operations Section.

DEC 2 0 1993

PERRIT PECTION





Revision Date: 12-15-93

HAZARDOUS WASTE PERSONNEL TRAINING PROGRAM

FOR

KEYSTONE PERSONNEL @ BARTONVILLE, ILLINOIS

Introduction:

Keystone conducts this training program in accordance with local, state, and federal regulations. It is intended that all personnel that normally handle Hazardous Waste including immediate supervision be trained by a qualified person.

We have contracted with Environmental Science & Engineering to conduct this training as outlined in the following pages. Please contact your supervisor or me at Ext. 7552 should you have any questions.

DALE BENNINGTON

MANAGER, ENERGY AND

ENVIRONMENTAL ENGINEERING

NOTES:

1. This hazardous waste training plan references sections 5.11 & 5.12 of Keystone's Hazardous Waste Contingency Plan dated December 1993.

"5.11 Waste Pile Spills and Leaks"

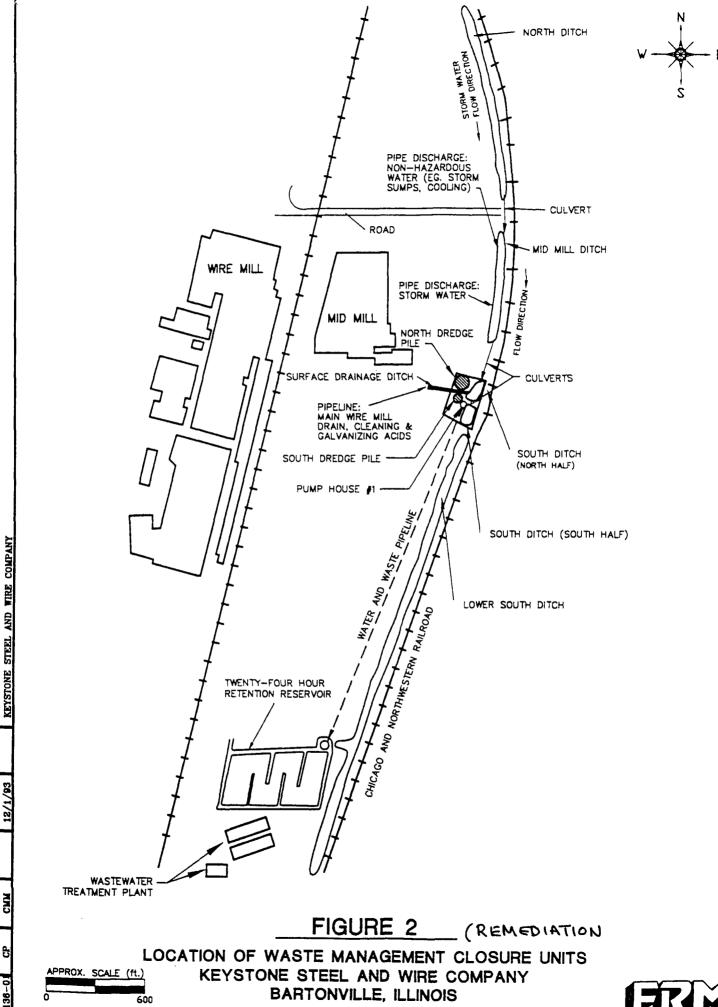
"5.12 Surface Impoundment Spills and Leaks"

2. Keystone personnel are not authorized to conduct any remediation activities at any of it's hazardous waste piles or surface impoundments, as identified in the 9-30-1992 closure plan. Remediation activities shall be done by contractors trained and authorized to do so.

DEC 2 0 1993

PERMIT SECTION

Page 1 of 43 (including 1.A-D, 18 A-C, 42.A & 43.A)



Keystone Steel & Wire Company Contingency Plan

Revision: 3 December 1993

Page: 5-13

5.10 Tank System Spills and Leakage

There are no waste tanks at Keystone.

5.11 Waste Pile Spills and Leakage

There are two waste piles at Keystone located near Wire Mill Pump House #1 containing K062 sludge identified as:

- the North Dredge Pile, and
- the South Dredge Pile.

5.12 Surface Impoundment Spills and Leakage

There are seven surface impoundments (Ditches) at Keystone identified as:

- the North Ditch,
- the Mid-Mill Ditch,
- the Surface Drainage Ditch,
- the South Ditch North Half,
- the South Ditch South Half,

Keystone Steel & Wire Company Contingency Plan

Revision: 3

December 1993

Page: 5-14

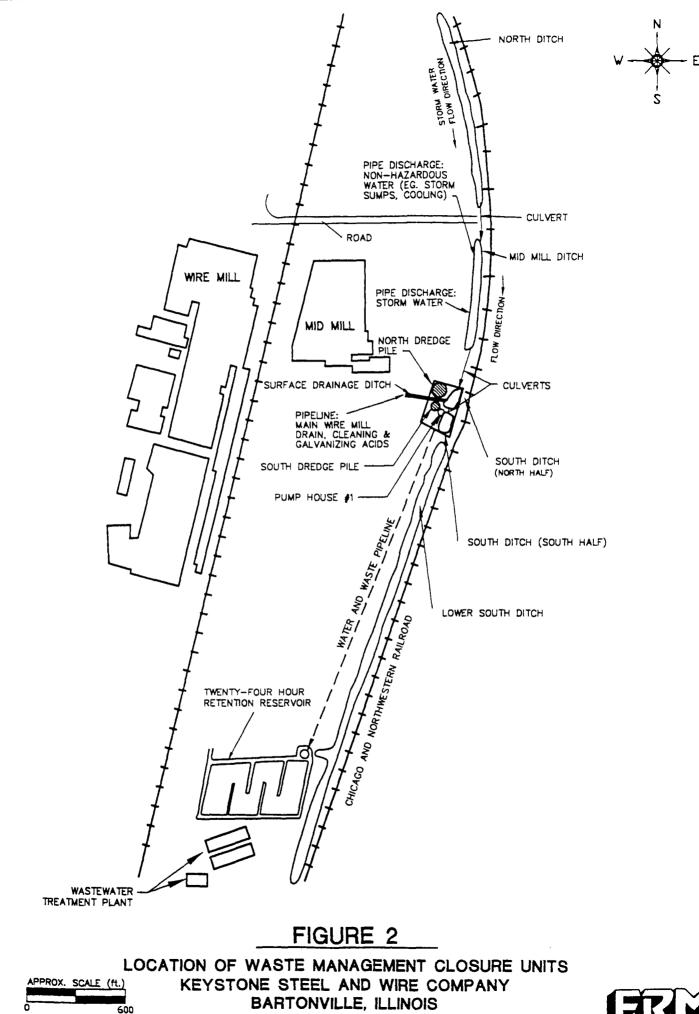
- the Lower South Ditch, and
- the 24-Hour Retention Reservoir.

5.13 Incinerator Spills and Leakage

There are no incinerators at Keystone.

5.14 Landfill Leakage

There are no RCRA regulated landfills at Keystone.



AND WIRE COMPANY

ETH

HAZARDOUS WASTE

KEYSTONE STEEL & WIRE COMPANY

PEORIA, ILLINOIS

ARC DUST - K061

SPENT PICKLE LIQUOR - K062

1,1,1- TRICHLOROETHANE - F002

PERCHLOROETHYLENE - F001

WASTE PAINT - D001

WASTE PETROLEUM NAPHTHA - D001

ACRONYMS

- EPA ENVIRONMENTAL PROTECTION AGENCY (U.S. & ILLINOIS)
- RCRA RESOURCE CONSERVATION & RECOVERY ACT (HAZARDOUS WASTE REGULATIONS)
- CERCLA COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION & LIABILITY ACT (SUPERFUND)
- NPDES NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (DISCHARGES TO PUBLIC WATERS)
- TCLP TOXICITY CHARACTERISTIC LEACHING PROCESS (HAZARDOUS WASTE CONSTITUENT TEST)



	CLIENT DATE COLLECTED DATE RECEIVED DATE OF REPORT SAMPLE DESCRIPTION P.O. NUMBER LAB NUMBER	0,	eystone 6-21-95 6-21-95 7-05-95 \$22 P95-026 5060649	
LAB NUMBER	ANALÝSIS		RESUL	Ts
95060649	Arsenic		<0.02	mq/1
	Barium		0.52	mg/1
	Cadmium		0.021	mq/1
	Chromium		0.003	mq/1
	Lead		0.37	mq/1
	Mercury		<0.0003	mg/1
	Selenium		0.01	ma/1
	Silver		<0.001	mq/1
	Arsenic Spike Recovery	·	111	•
	Barium Spike Recovery		97 ·	*
	Cadmium Spike Recovery	<u> </u>	100	*
	Chromium Spike Recovery		100	1
	Lead Spike Recovery		110	ŧ
	Gercury Spike Recovery		97	8
	Selenium Spike Recovery		127	8
	Bilver Spike Recovery		105	9.

On November 24, 1992 the U.S. EPA lifted the TCLP requirement for matrix spike bias adjustment for measured values. The rule, however, still requires laboratories to perform matrix spike recovery analysis to validate results.

Trace Metals Section Supervisor tclp_met:tw

DEFINITIONS

SOLID WASTE: "ANY GARBAGE, REFUSE, SLUDGE, OR ANY OTHER WASTE MATERIAL..."

OTHER WASTE MATERIAL: "SOLID, LIQUID, SEMI-SOLID, OR CONTAINED GAS MATERIAL, RESULTING FROM INDUSTRIAL, COMMERCIAL, MINING, OR COMMUNITY ACTIVITIES, WHICH IS DISCARDED..."

DISCARDED:

- "1. DISPOSED OF
- 2. BURNED OR INCINERATED, EXCEPT FOR FUEL USE
- 3. PHYSICALLY, CHEMICALLY, OR BIOLOGICALLY TREATED"

<u>DISPOSED OF</u>: "...DISCHARGED, DEPOSITED, INJECTED, DUMPED, SPILLED, LEAKED, OR PLACED INTO OR ON ANY LAND OR WATER SO THAT SUCH MATERIAL OR ANY CONSTITUENT THEREOF MAY ENTER THE ENVIRONMENT..."

LISTED HAZARDOUS WASTES

- A. NON-SPECIFIC SOURCES EXAMPLES
 - SPENT SOLVENTS
 - PLATING BATHS & SLUDGES
 - WASTEWATER SLUDGES PROCESS TYPES
- B. SPECIFIC SOURCES BY INDUSTRY
 - WOOD PRESERVATION
 - INORGANIC PIGMENTS
 - ORGANIC CHEMICALS
 - PESTICIDES
 - EXPLOSIVES
 - PETROLEUM REFINING
 - IRON AND STEEL
 - SECONDARY LEAD
 - VETERINARY PHARMACEUTICALS
 - INK FORMULATION
 - COKING
- C. DISCARDED CHEMICAL, OFF-SPEC SPECIES CONTAINER RESIDUES, AND SPILL RESIDUES

HAZARDOUS WASTE (USEPA/IEPA)

- LISTED AS A HAZARDOUS WASTE
- II EXHIBITS ONE OF FOUR CHARACTERISTICS

1) IGNITABLE

- LIQUID WITH A FLASH POINT < 60 ° C (140 ° F)
- LIQUID, SOLID, OR GAS WHICH IS AN OXIDIZER
- LIQUID, SOLID, OR GAS CAPABLE OF CAUSING A FIRE

2) **CORROSIVE**

- LIQUIDS WITH A pH < 2 OR > 12.5
- LIQUID CORRODES STEEL AT A SPECIFIED RATE

3) REACTIVE

- CYANIDE OF SULFIDE BEARING WASTES WHICH CAN GENERATE TOXIC GASES, FUMES OR VAPORS WHICH ENDANGER HUMAN HEALTH AND OR THE ENVIRONMENT

4) TCLP

- WASTES WHICH CONTAIN IN THE THEIR EXTRACT A
CONCENTRATION OF METALS, PESTICIDES/HERBICIDES, VOLATILE
ORGANICS, OR SEMIVOLATILE ORGANICS IN EXCESS OF
REGULATORY REQUIREMENTS

TCLP CONSTITUENTS

HEAVY METALS

ARSENIC
BARIUM
CADMIUM
CHROMIUM
LEAD
MERCURY

SELENIUM

SILVER

CHLORDANE

PESTICIDES/HERBICIDES

2, 4 - D ENDRIN

HEPTACHLOR

LINDANE

METHOXYCHLOR

TOXAPHENE

2, 4, 5 - TP (SILVEX)

VOLATILE ORGANICS

BENZENE

CARBON TETRACHLORIDE

CHLOROBENZENE

CHLOROFORM

1, 2 DICHLOROETHANE

1, 1 DICHLOROETHYLENE

METHYL ETHYL KETONE

TETRACHLOROETHYLENE

TRICHLOROETHYLENE

VINYL CHLORIDE

SEMIVOLATILE ORGANICS

o - CRESOL

m - CRESOL

p - CRESOL

CRESOL (TOTAL)

1, 4 DICHLOROBENZENE

2, 4 DINITROTOLUENE

HEXACHLOROBENZENE

HEXACHLORETHANE

NITROBENZENE

PENTACHLOROPHENOL

PYRIDINE

2, 4, 5 - TRICHLOROPHENOL

2, 4, 6 - TRICHLOROPHENOL

HAZARDOUS WASTE REGULATIONS

PURPOSE:

- CRADLE TO GRAVE CONTROLS
- PREVENT FUTURE "LOVE CANALS"

EFFECTIVE DATE:

- NOVEMBER 1980

MAJOR REVISIONS

- NOVEMBER 1984

HIERARCHY OF WASTE MANAGEMENT OPTIONS

- 1. PROCESS MODIFICATIONS
- 2. RECYCLING OR REUSE
- 3. VOLUME REDUCTION AND DETOXIFICATION (PHYSICAL, CHEMICAL OR BIOLOGICAL)
- 4. INCINERATION
- 5. LANDFILL DISPOSAL

HAZARDOUS WASTE GENERATOR CLASSIFICATION

- 1. LARGE QUANTITY GENERATOR
 - > 1,000 KG (2,200 LBS) PER MONTH
 - > 6,000 KG (13,200 LBS) ACCUMULATED WASTE
- 2. SMALL QUANTITY GENERATOR
 - 100 TO 1,000 KG PER MONTH (220 TO 2,200 LBS)
 - 1,000 TO 6,000 KG ACCUMULATED WASTE (2,200 TO 13,200 LBS)
- 3. CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR
 - < 100 KG (220 LBS) PER MONTH
 - < 1,000 KG (2,200 LBS) ACCUMULATED WASTE

GENERATOR STANDARDS

- 1) WHAT WASTES ARE HAZARDOUS?
- 2) EPA IDENTIFICATION NUMBER
 - USEPA
 - IEPA
- 3) LOCATE TREATMENT/DISPOSAL FACILITY
- 4) USE MANIFEST FORMS
- 5) PACKAGING & LABELING
- 6) LIMITED ACCUMULATION TIME
 90 DAY MAXIMUM
- 7) CONTINGENCY PLANNING & TRAINING
- 8) RECORD KEEPING
- 9) REPORT SPILLS
- 10) ANNUAL REPORTS

SATELLITE ACCUMULATION AREA

- 1. WASTES MAY BE TEMPORARILY ACCUMULATED AT OR NEAR POINT OF GENERATION
- 2. LIMIT OF ONE 55 GALLON DRUM PER LOCATION
- 3. ACCUMULATION DATE (WITH 180- OR 270- DAY MAXIMUM ACCUMULATION TIME) DOESN'T BEGIN UNTIL:
 - WASTE MOVED TO ANOTHER LOCATION (WASTE ACCUMULATION AREA)
 - DRUM IS FULL (55 GALLON LIMIT IS REACHED)

WASTE REANALYSIS

HAZARDOUS AND NON-HAZARDOUS

- 1. MANUFACTURING PROCESS CHANGES
- 2. WASTE TREATMENT PROCESS CHANGES
- 3. RAW MATERIAL CHANGES
 - TYPE
 - BRAND
 - COMPOSITION
- 4. AS DETERMINED BY WASTE MANAGERS
 - PERMIT RENEWALS
 - ALTERNATIVE DISPOSAL SITES

HAZARDOUS WASTE

KEYSTONE STEEL & WIRE COMPANY

PEORIA, ILLINOIS

ARC DUST - K061

SPENT PICKLE LIQUOR - K062

1,1,1- TRICHLOROETHANE - F002

PERCHLOROETHYLENE - F001

WASTE PAINT - D001

WASTE PETROLEUM NAPHTHA - D001

RECORD KEEPING

- 1. CRITICAL TO SUCCESSFUL HAZARDOUS WASTE MANAGEMENT
- 2. REQUIRED BY LAW
- 3. PREVENT ACCUMULATION LONGER THAN 90 DAYS
- 4. DOCUMENT DISPOSAL
 - RECEIPT BY DISPOSAL FACILITY
 - RETURN OF MANIFEST WITHIN 35 DAYS
 - FOLLOW UP GENERATOR
 - REPORT TO IEPA WITHIN 45 DAYS
- 5. ANNUAL REPORTS
- 6. INTERNAL CONTROL

EXHIBIT 4
INSPECTION SCHEDULE

Item	Type of Problem	Inspection
Waste Accumulation Area	Open containers Corrosion Leaks Labeling Quantity Evidence of spills or leaks	Weekly
Emergency Equipment	Missing items Damaged items Improper location	Monthly
Personnel Protective Equipment	Missing items Damaged items Improper location	Monthly
Security Equipment and Facility Periphery	Inoperable equipment Missing or damaged signs Damage to fence or gate	Weekly
Surface Impoundments (Ditches)	Freeboard Overflows/Leaks/Dike failure	Daily

EXHIBIT 1

WASTE ACCUMULATION AREA WEEKLY INSPECTION LOG

Waste Types Present:				Number of Drums
			-	
		<u></u>		
Drum Conditions	Good	Defects	Defective Dri	ums No/Comments
Aisle Space (4 ft)				
Bulges	<u>, , , , , , , , , , , , , , , , , , , </u>			2 - W
Dents				-
Bungs Tight				
Rust				
Pallet Condition				
Completed Labels (Legible)				- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1
Warning Signs	· · · · · ·			
Security				
Spills or Leaks				
(a) a d (14)	4.			
lake additional copies for addi	uonai source	S)		
omments:				
	 			
 				

EXHIBIT 2

EMERGENCY AND RESPONSE EQUIPMENT MONTHLY INSPECTION LOG

		Date Inspected	
Quantity	Condition	Location	
		······································	
			
		····	
			
	Quantity	Quantity Condition	

EXHIBIT 3

SURFACE IMPOUNDMENT DAILY INSPECTION LOG

Ditch	Freeboard Level (ft)	Overflows/Leaks/Dike Failure
North Ditch		
Mid-Mill Ditch		
South Ditch - North Half		
South Ditch - South Half		
Surface Drainage Ditch		
Lower South Ditch		
24-hr. Retention Reservoir		
Note: The minimum a	cceptable freeboard is 2.0 feet.	
Comments:		

Inspector Signature:	Date:	

MANIFEST INFORMATION

- 1) GENERATOR INFORMATION
 - USEPA ID NO.
 - STATE ID NO. (DEPENDS ON STATE)
 - NAME, ADDRESS & PHONE
- 2) TRANSPORTER INFORMATION
 - NAME
 - USEPA ID NO.
 - STATE ID NO. & PHONE (DEPENDS ON STATE)
- 3) DESIGNATED FACILITY INFORMATION
 - NAME & ADDRESS
 - USEPA ID NO.
 - STATE ID NO. PHONE (DEPENDS ON STATE)
- 4) WASTE INFORMATION
 - US DOT DESCRIPTION
 - NO. AND TYPE OF CONTAINERS
 - TOTAL QUANTITY
 - WEIGHT/VOLUME
 - WASTE NO. (DEPENDS ON STATE)

MANIFEST INFORMATION (CONT.)

- 5) SPECIAL INSTRUCTIONS
- 6) GENERATOR CERTIFICATION
- 7) TRANSPORTER ACKNOWLEDGMENT
- 8) DISCREPANCY INDICATIONS
- 9) FACILITY CERTIFICATION OF RECEIPT

ILLINOIS MANIFEST COPY DISTRIBUTION

COPY 6

- RETAINED BY GENERATOR

COPY 5 AND COPY 4

- ONE KEPT BY TRANSPORTER
- ONE FORWARDED TO STATE EPA BY TRANSPORTER
- DISTRIBUTION DEPENDS ON STATE--SEE MANIFEST

COPY 3

- RETAINED BY DISPOSAL FACILITY

COPY 2 AND COPY 1

- ONE FORWARDED TO STATE EPA BY DISPOSAL FACILITY
- ONE FORWARDED TO GENERATOR BY DISPOSAL FACILITY
- DISTRIBUTION DEPENDS ON STATE--SEE MANIFEST

LEAK OR SPILL PROCEDURES

PRECAUTIONS:

- APPROPRIATE PROTECTIVE CLOTHING
- IGNITABLE MATERIALS
 - REMOVE IGNITION SOURCES
 - KEEP AREA WELL VENTILATED

PROCEDURES:

- 1) REPORT TO DEPARTMENT FOREMAN
 - EMERGENCY COORDINATOR TO BE NOTIFIED BY FOREMAN AS NECESSARY
 - COORDINATOR TO NOTIFY EPA, STATE, & LOCAL AUTHORITIES AS REQUIRED
- 2) BLOCK FLOOR DRAINS AS NECESSARY
- 3) PLACE CONTAINER UNDER LEAK (IF APPLICABLE)
- 4) DIKE SPILL MATERIAL
 - EARTH OR ABSORBENT
- 5) PUMP TO OTHER CONTAINERS AS APPROPRIATE
- 6) SHOVEL ABSOREED SPILL MATERIAL INTO HAZARDOUS WASTE DRUMS
- 7) COMPLETE SPILL REPORT
- 8) TRANSFER DRUMS TO STORAGE AREA

REPORTABLE SPILL QUANTITIES

MATERIAL

REPORTABLE QUANTITY (RQ)

ARC DUST

1 POUND (1 PINT)

SPENT PICKLE LIQUOR

100 POUNDS (12.5 GALLONS)

1,1,1- TRICHLOROETHANE

1000 POUNDS (125 GALLONS)

PERCHLOROETHYLENE

1 POUND (1 PINT)

WASTE PAINT

100 POUNDS (12.5 GALLONS)

WASTE PETROLEUM NAPHTHA

100 POUNDS (12.5 GALLONS)

WASTE FLAMMABLE LIQUID

100 POUNDS (12.5 GALLONS)

SULFURIC ACID

1000 POUNDS (125 GALLONS)

HYDROCHLORIC ACID

5000 POUNDS (625 GALLONS)

PHOSPHORIC ACID

5000 POUNDS (625 GALLONS)

SPILL RESPONSE

- * NOTIFICATION REQUIREMENTS IN CONTINGENCY PLAN
- 1) ACID (SULFURIC, HYDROCHLORIC, PHOSPHORIC)
 - CONTAIN SPILL/STOP LEAK
 - PREVENT CONTACT WITH INCOMPATIBLE MATERIALS SUCH AS CYANIDE
 - NEUTRALIZE WITH CAUSTIC SODA OR WATER FLUSH
 - COLLECT IN CONTAINERS AS DIRECTED
- 2) CAUSTIC SPILL
 - CONTAIN SPILL AND STOP LEAK. PREVENT CONTACT WITH INCOMPATIBLE MATERIALS
 - NEUTRALIZE WITH CHEMICALS, AND/OR FLUSH WITH WATER
 - COLLECT IN CONTAINERS OR RESPOND AS DIRECTED BY THE DEPARTMENT SUPERVISOR OR EMERGENCY COORDINATOR
- 3) OIL SPILL (WASTE OILS, LUBRICATING OILS, ETC.)
 - PREVENT RELEASE TO SEWERS, DRAINS, OR SURFACE WATERS
 - PEMOVE CONTAMINATED SOIL
 - CLEAN PAVED SURFACES

SPILL RESPONSE (CONT.)

- 4) WASTE DRUM SPILL (111-TCA, PAINT, PET. NAPHTHA, PERC)
 - INFLAMMABLE REMOVE IGNITION SOURCES
 - PREVENT RELEASE TO SEWERS, DRAINS, OR SURFACE WATERS
 - COLLECT SPILLED MATERIAL
 - DECONTAMINATE AS DIRECTED
- 5) FUEL/SOLVENT/THINNER/PAINT/LACQUER
 - RESPOND PER WASTE DRUM SPILL
- 6) OTHER MATERIALS
 - SEE MSDS SHEETS

RESPONSE TO GROUNDWATER CONTAMINATION

- 1) CONTAIN & CLEAN UP SURFACE SPILL
- 2) NOTIFY IEPA
- 3) DETERMINE EXTENT OF CONTAMINATION
- 4) IDENTIFY REMEDIAL ACTION ALTERNATIVES
- 5) SELECT & IMPLEMENT CLEANUP PLAN

NOTE: GROUNDWATER CONTAMINATION WOULD LIKELY BE THE RESULT OF A SURFACE SPILL

FIRE PROTECTION & COMMUNICATIONS

- A. PROCEDURES FOR FACILITY EMERGENCY & MONITORING EQUIPMENT
 - USE
 - INSPECTION
 - REPAIR
 - REPLACEMENT
- **B. COMMUNICATION & ALARM SYSTEMS**
- C. RESPONSE TO FIRE & EXPLOSIONS
- D. BUILDING EVACUATION PROCEDURES

FIRE/EXPLOSIVE PLAN

EMERGENCY ACTION PLAN

GENERAL

- 1) DO NOT RE-ENTER UNTIL FIRE OFFICIAL OR EMERGENCY COORDINATOR PRONOUNCES AREA SAFE & CLEAR
- 2) IF CHEMICALS OR WASTES INVOLVED, EMERGENCY COORDINATOR TO NOTIFY PROPER RESPONSE AGENCIES

FIRE/EXPLOSIVE PLAN

EMERGENCY ACTION PLAN

SERIOUS EXPLOSION OR OUT OF CONTROL FIRE

- 1) SOUND ALARM
- 2) EVACUATE BUILDING
- 3) USE OTHER PERSONNEL TO ASSIST IN EVACUATION & ACCOUNT FOR PERSONNEL

FIRE/EXPLOSION PLAN

EMERGENCY ACTION PLAN

SMALL FIRE

NO IMMEDIATE DANGER TO HUMAN LIFE/SAFETY OR SURROUNDING FACILITIES

- 1. FIGHT FIRE WITH PROPER EQUIPMENT
 - EXTINGUISHER
- 2. REMOVE ALL COMBUSTIBLES, CHEMICALS, OR THREATS OF EXPLOSIONS
- 3. TURNOFF ANY UTILITIES WHICH MAY THREATEN THE FIRE
- 4. NOTIFY SUPERVISOR/EMERGENCY COORDINATOR
- 5. EXAMINE FIRE AREA TO DETERMINE CAUSE AND PREVENT RE-IGNITION
- 6. IF IN DOUBT GET EMERGENCY COORDINATION AND SEEK HELP!

FIRE/EXPLOSION PLAN

EMERGENCY ACTION PLAN

LARGE FIRE

- 1) ACTIVATE ALARM
- 2) DIAL 7911 FROM NEAREST PHONE
 - EMERGENCY RESPONSE (FIRE DEPT.)
- 3) CONTACT EMERGENCY COORDINATOR
- 4) EVACUATE ALL UNNECESSARY PERSONNEL
- 5) ACCOUNT FOR PERSONNEL
- 6) CALL MAINTENANCE TURN OFF UTILITIES
- 7) REMOVE CHEMICALS & COMBUSTIBLES
- 8) SECURE THE AREA L'NTIL FIRE OFFICIALS LEAVE

EVACUATION PLAN

- 1) NON-ESSENTIAL PERSONNEL
 - LEAVE AT ALARM ONSET
- 2) ESSENTIAL PERSONNEL
 - STAY UNTIL SITUATION BECOMES DANGEROUS
 - SIGNALED TO LEAVE BY EMERGENCY COORDINATOR
- 3) USE NEAREST <u>OUTSIDE</u> EXIT
- 4) IF BLOCKED, USE ALTERNATIVE EXIT
- 5) DEPT. FOREMAN
 - ACCOUNT FOR PERSONNEL

EMERGENCY EQUIPMENT

- 1. CLASS A,B,C FIRE EXTINGUISHERS
 - PLANT WIDE
 - WOOD, TRASH, PAPER, LIQUID, GREASE & ELECTRICAL EQUIPMENT FIRES
- 2. CLASS B,C FIRE EXTINGUISHERS
 - PLANT WIDE
 - LIQUID, GREASE & ELECTRICAL EQUIPMENT FIRES
- 3. CO₂ EXTINGUISHER
 - PLANT WIDE
 - LIQUID, GREASE & ELECTRICAL EQUIPMENT FIRES
- 4. HALON FIRE EXTINGUISHERS
 - MAIN OFFICE AND ELECTRIC ARC SHOP
 - ELECTRICAL EQUIPMENT FIRES
- 5. WATER SPRAY CAN EXTINGUISHERS
 - PLANT WIDE
 - WOOD, TRASH, PAPER, LIQUID, GREASE & ELECTRICAL EQUIPMENT FIRES

EMERGENCY EQUIPMENT(CONTINUED)

- 6. AUTOMATIC SPRINKLER SYSTEM
 - PLANT WIDE
 - TRIGGERED BY FIRE
- 7. EMERGENCY COMMUNICATION
 - EMERGENCY ALARM SYSTEM
 - EMERGENCY NUMBERS LISTED AT ALL PHONES
- 8. SPILL CONTAINMENT
 - ABSORBENT MATERIAL
 - SHOVEL
 - BROOM
 - 55 GALLON DRUM
- 9. PROTECTIVE EQUIPMENT
 - SAFETY GLASSES
 - CHEMICAL RESISTANT COVERALLS, BOOTS, AND GLOVES
 - RESPIRATORS

CONTAINER LABELS

HAZARDOUS WASTE

NON-HAZARDOUS WASTE

- NOT REQUIRED BUT RECOMMENDED

FLAMMABLE LIQUID

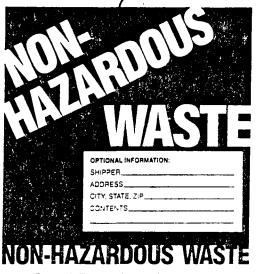
FLAMMABLE SOLID

CORROSIVE LIQUID

POISON

YELLOW RED LETTE	Sina
3/4	9
HAZARDOUS	
WASTE	
FEDERAL LAW PROHIBITS IMPROPER DISPOSAL IF FOUND, CONTACT THE NEAREST POLICE, OR PUBLIC SAFETY AUTHORITY, OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY	***
U.S. ENVIRONMENTAL PROTECTION AGENCY PROPER D.O.T. BIPPING NAME GENERATOR INFORMATION: MAME ADDRESS CITY	
AGGPERA STATE 20	
CITY	
HANDLE WITH CARE! CONTAINS HAZARDOUS OR TOXIC WASTES	
Printed by UNBELIAND TIP ID IS AMERICAN LIMIT UMAN CO CHICAGO IL MANN	

GREEN BACKGROUND







ADDED 8-22-91, PREVIOUSLY SHOWN ON SEPERATE SLIDE, OR

STORAGE & HANDLING

- 1) PROTECTIVE EQUIPMENT
- 2) AVOID BUMPING, SHAKING & DROPPING
- 3) PROPER HANDLING EQUIPMENT
 - FORKLIFTS
 - DRUM DOLLIES
- 4) MATERIAL COMPATIBILITY
- 5) CLEAN OR NEW CONTAINERS
- 6) FLAMMABLE LIQUIDS
 - GROUND CONTAINERS
 - BOND BETWEEN CONTAINERS
 - PREVENT STATIC CHARGE IGNITION
 - NO SMOKING OR IGNITION SOURCES
- 7) DRY, WELL-VENTILATED AREAS
- 8) AVOID DIRECT SUNLIGHT, HEAT, OR SPARKS FOR FLAMMABLE MATERIALS
- 9) PROPER LABELS

STORAGE & HANDLING (CONT.)

- 10) KEEP CONTAINERS COVERED
- 11) ASSUME CONTAINERS ARE PRESSURIZED
 - OPEN AWAY FROM PEOPLE
- 12) NEVER ADD WATER TO ACID
- 13) IF SPILL OCCURS, CALL EMERGENCY COORDINATOR

DRUM REQUIREMENTS

TOP OF DRUMS

- CLEAN & DRY
- FREE OF OLD MARKINGS
- PROPER BUNGS -- IN PLACE AND TIGHT
- IF OPEN TOP DRUM
 - TENSION RING TIGHT
 - BOLT FLANGE DOWN

SIDE OF DRUMS

- CLEAN & DRY
- FREE OF OLD MARKINGS
- DOT HAZARD CLASS LABEL, AS APPLICABLE
- EPA WASTE LABEL
 - PROPER DOT DESCRIPTION
 - UN OR NA NUMBER
 - GENERATOR NAME & ADDRESS
 - GENERATOR USEPA ID NO.
 - ACCUMULATION START DATE
 - MANIFEST DOCUMENT NUMBER

GENERAL

- NO DENTS IN DRUM CHIMES
- NO WASTE ON TOPS OR SIDES
- NO LEAKERS
- 5/8 INCH BOLT RINGS ON OPEN TOP DRUMS
- PROPER GASKETS IN OPEN TOP DRUMS
- PROPER BUNGS IN PLACE AND TIGHT
- NO BULGED TOPS OR BOTTOMS
- NO LARGE DENTS OR CREASES
- CLEAN BEFORE REUSE
- FREEBOARD: 6 INCHES FOR LIQUIDS
 - FREEZING AND THERMAL EXPANSION
- EMPTY CONTAINERS (110 GALLONS AND LESS)
 - LESS THAN 1 INCH RESIDUAL
 - LESS THAN 3%
 - ACUTE HAZARDOUS
 - REMOVE LINER OR TRIPLE RINSE
- NO OLD MARKINGS
- PROPER LABEL EPA AND DOT

SAFETY STANDARDS

- 1) FOLLOW MATERIAL SAFETY DATA SHEETS (MSDS)
- 2) EYE & FACE PROTECTION
 - SPLASH GOGGLES, FACE SHIELD, GLASSES, AS APPROPRIATE
 - CHEMICAL VAPORS NO CONTACT LENSES
- 3) HEAD PROTECTION
 - HARD HATS AS REQUIRED
- 4) HAND PROTECTION
 - GLOVES AS APPROPRIATE TO WASTE
 - LEATHER, COTTON, CANVAS, NEOPRENE, RUBBER, PLASTIC
 - PROTECTIVE HAND CREAMS
- 5) FOOT PROTECTION
 - LEATHER OR SAFETY SHOES
 - NEOPRENE OR RUBBER BOOTS FOR CORROSIVE WASTES
- 6) RESPIRATORY PROTECTION
 - AS APPROPRIATE TO MATERIALS USED
- 7) PROTECTIVE CLOTHING
 - WORK CLOTHES
 - RUBBER SUITS, APRONS AS REQUIRED

RCRA POSITION RESPONSIBILITIES

EMERGENCY COORDINATOR (PRIMARY AND ALTERNATES)

- 1) KEEP CURRENT WITH REGULATORY CHANGES
- 2) FAMILIARITY WITH HAZARDOUS WASTE MANAGEMENT PLAN
- 3) REVIEW OF PERSONNEL TRAINING PROGRAM
- 4) MAINTAIN FILES RELATIVE TO HAZARDOUS WASTE MANAGEMENT
- 5) COLLECT WASTE SAMPLES & OBTAIN EPA PERMITS
- 6) COORDINATE TRAINING; MAINTAIN TRAINING LOGS
- 7) INSPECTION LOGS; DRUM LOGS; ANNUAL REPORTS
- 8) FACILITY CONTACT FOR RCRA
- 9) SUPERVISE OFF-SITE SHIPMENT OF HAZARDOUS WASTE; PREPARE MANIFESTS & DOCUMENTATION
- 10) RESPONSIBLE PERSON DURING EMERGENCIES
 - IDENTIFY NATURE OF EMERGENCY
 - ASSESS DANGER TO HUMAN HEALTH OR ENVIRONMENT
 - NOTIFY PROPER AUTHORITIES
 - DIRECT FACILITY PERSONNEL INCLUDING SHUTDOWN & EVACUATION
 - CONTAIN ENVIRONMENTAL RELEASES
 - DIRECT CLEANUP PROCEDURES

8-08-91

A REVISED 8-21-91

EMERGENCY COORDINATORS

(2) REVISED 1245-93

PRIMARY: DALE BENNINGTON

FIRST ALTERNATE: STEPHEN WALKER

SECOND ALTERNATE: RENNETH SPRINGER

THIRD

" : DAVID SEMELROTH

FOURTH

: NORMAM OLMSTEAD

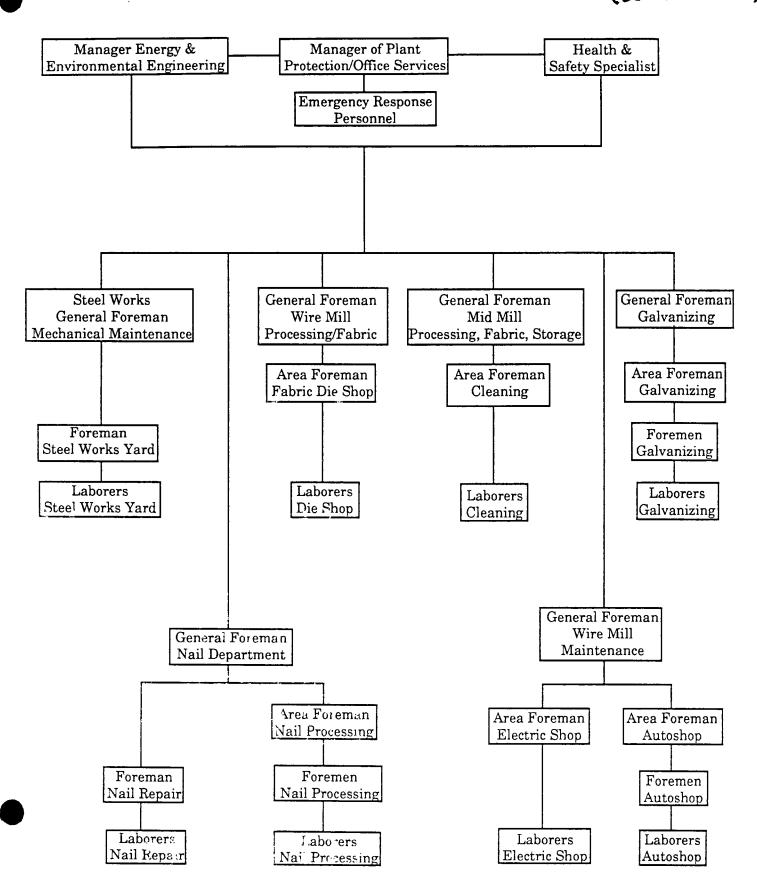
EMERGENCY COORDINATORS

Name and Position	Home Address	Office Phone Nos.	Home Phone No.
Primary - Dale Bennington Manager Energy & Environmental Engineering	12804 West Dell Princeville, IL 61559	(309) 697-7552	(309) 385-4863
<u>First Alternate</u> - Stephen Walker Manager Plant Protection	2121 West Clark St. Peoria, IL 61604	(309) 697-7775	(309) 676-5556
<u>Second Alternate</u> - David Semelroth Environmental Engineer	4423 West Ducharme Bartonville, IL 61607	(309) 697-7551	(309) 697-5767

-42A-

Hazardous Waste Management Organizational Chart

OBSOLETED by DB 8 22 91 (SEE NEW CHART)



Hazardous Waste TRAINING & MANAGEMENT
Organizational Chart DATE 8-22-91 54 19-1B A.2 Ail Manager, Energy & Manager, Plant Health & Environmental Engineering Protection/Office Services Safety Specialist TRAINING TYPE B. Emergency Response OPTIONAL Personnel MANDATORY **C7** CS CE General Foreman Steel Works General Foremani General Foreman General Foreman General Foreman Steel Works Steel Works General Foreman Galvanizing Nail Department Wire Mill SUPERVISOR Wire Mill Mid Mill STOREROOM FINISH/SHIP Processing/Fabric Processing Fabric, Storage 0.3 Qt Area Foreman Q2 Area Foreman Area Foreman Area Foreman Fabric Die Shop Cleaning Galvanizing Nail Processing EI E.7. Foreman Foremen Foreman Foremen Galvanizing Wire Mill Yard Nail Repair Nail Processing F.2 Laborers Laborers Laborers Laborers Laborers Laborers Die Shop Galvanizing Cleaning Nail Repair Wire Mill Yard Nail Processing Steel Works SUPT. SUPT. Wire Mill Maintenance Maintenance Steel Works General Foreman General Foreman Steel Works General Foreman General Foreman Wire Mill Wire Mill Mechanical Maintenance Maintenance Electrical Maintenance ICENT. SHOP/STO. Foreman Foreman Area Foreman Area Foreman STORE KEEPER Steel Works Yard Electric Maint Electric Shop Autoshop II Foremen Autoshop K3 Laborers Laborers Laborers Laborers Electric Maint Electric Shop Autoshop Steel Works Yard

REVISED



217/782-6/62

Refer to: 1430050001 -- Pearla County

Keyston Steel & Wire

110000714881 COMPLIANCE FILE

Pre-Enforcement Conference Follow-Up Letter

August 20, 1991

Keyston Steel & Wire Attn: Dale L. Benninton, P.E. 7000 Southwest Adams St. Peorta, lilinois 61641

Dear Ar. Bennington:

On July 24, 1991, a Pra-Enforcement Conference (PEC) was held at Illinois Environmental Protection Agency, 2200 Courchill Rd., Springfield, Illinois. Inis conference was weld pursuant to the apparent violation(s) previously Identified by the Agency in the Pre-Enforcement Conference Letter (PECL) dated July 16, 1991. The purpose of this conference was 1) to discuss the validity of the apparent violation(s) notes by Approxy staff, and 2) to arrive at a program to eliminate existing and/or future violation(s).

At the PEC, Keystone Steel & dire agreed to send a letter to the Agency within 15 days from the date of the PEC setting forth the steps, including a schedule with dates by which each violation will be resolved, as agreed to at the PEC. The letter must set forth the steps teystone Steel a wire shall take towards Achieving compliance with each of the violations identified in the PECL. If the Agency does not receive this letter within 15 days the Agency will proceed with formal enforcement. The Agency lanks forward to working with you toward the resolution of the identified giolation(s).

Your written response and two copies of all documents submitted in response to . Inis letter should be sent to:

> Joseph Hiller Planning and Reporting Section Division of Land Pollution Control #24 Illinois Environmental Protection Agency 2200 Churchill Road, P.O. Bax 19276 Springfield, Illinois 62794-9276



217/782-6751

Refer to: 1430050001 -- Peoria County

Keystone Steel and Wire

ILD000714881 Compliance File

PRE-ENFORCEMENT CONFERENCE LETTER

July 15, 1991 -

REVISED LETTER

Keystone Steel and Wire Attn: Dale L. Bennington, P.E. 7000 Southwest Adams Street Peoria, Illinois

Dear Mr. Bennington:

The Agency has previously informed Keystone Steel and Wire of apparent violations of the Illinois Environmental Protection Act and/or rules and regulations adopted thereunder. These apparent violations are set forth in Attachments A and B. Please note, the Agency's July 10, 1991 Pre-Enforcement Conference Letter inadvertently omitted the apparent violation of 35 III. Adm. Code 725.245 found in Attachment A of this letter.

As a result of these apparent violations, it is our intent to refer this matter to the Agency's legal staff for the preparation of a formal enforcement case. The Agency's legal staff will, in turn, refer this matter to the Office of Attorney General or to the United States Environmental Protection Agency for the filing of a formal complaint.

Prior to taking such action, however, you are requested to attend a Pre-Enforcement Conference to be held at Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois. The purpose of this Conference will be:

- 1. To discuss the validity of the apparent violations noted by Agency staff, and
- 2. To arrive at a program to eliminate existing and/or future violations.

You should, therefore, bring such personnel and records to the conference as will enable a complete discussion of the above items. We have scheduled the Conference for July 24, 1991, at 10:00 am. If this arrangement is inconvenient, you may arrange for an alternative date and time.



Page 2

In addition, please be advised that this letter constitutes the notice required by Section 31(d) of the Illinois Environmental Protection Act prior to the filing of a formal complaint. The cited Section of the Illinois Environmental Protection Act requires the Agency to inform you of the charges which are to be alleged and offer you the opportunity to meet with appropriate officials within thirty days of this notice date in an effort to resolve such conflict which could lead to the filing of formal action.

If either the above mentioned conference date or time is inconvenient or if you have any questions regarding this letter, please contact Andrew Vollmer at 217/732-6761.

Sincerely.

B. 11 Kallunck,

E. William Radlinski, Manager Planning and Reporting Section Division of Land Pollution Control

EWR: JM: jab/2162q/3-4

Attachment

cc: Division File Peoria Region USEPA Region V Joe Hiller Bill Ingersoll Andy Vollmer



Attachment A

Pursuant to 35 Ill. Adm. Code 725.245, an owner or operator of a facility with a hazardous waste disposal unit shall establish financial assurance for post-closure care of the disposal unit(s). You are in apparent violation of 35 III. Adm. Code 725.245 for failure to establish financial assurance for post-closure care.

JM: jab/2162q/5



Attachment 8

- Pursuant to 35 III. Adm. Code 725.243, an owner or operator of each facility shall establish financial assurance for closure of the facility. The owner or operator shall choose from the options as specified in subsection (a) through (e). You are in apparent violation of 35 111. Adm. Code 725.243 for the following reason(s): You failed to provide financial assurance for closure as requireá.
- Pursuant to 35 Ill. Adm. Code 725.247(a), an owner or operator of a hazardous waste treatment, storage or disposal facility, or a group of such facilities, shall demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs. This liability coverage may be demonstrated in one of three ways, as specified in subsections (a)(1), (a)(2) and (a)(3). You are in apparent violation of 35 III. Adm. Code 725.247(a) for the following reason(s): You failed to provide liability coverage for sudden accidental occurrences as required.
- 3. Pursuant to 35 III. Adm. Code 725.247(b), an owner or operator of a surface impoundment, landfill or land treatment facility which is used to manage hazardous waste, or a group of such facilities, shall demonstrate financial responsibility for bodily injury and property damage to third parties caused by non-sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator shall have and maintain liability coverage for non-sudden accidental occurrences in the amount of at least \$3 million per occurrence with an annual aggregate of at least \$6 million, exclusive of legal defense costs. This liability coverage may be demonstrated in one of three ways, as specified in subsections (b)(1), (b)(2), and (b)(3). You are in apparent violation of 35 III. Adm. Code 725.247(b) for the following reason(s): You failed to provide liability coverage for non-sudden occurrences as required.

JM: Jab/2162q/6



217/782-5761

Refer to: 1430050001 -- Peoria County

Keystone Steele and Wire

ILD000714881 Compliance File

PRE-ENFORCEMENT CONFERENCE LETTER

Certified #

July 10, 1991

Keystone Steel and Wire Attn: Dale L. Bennington, P.E. 7000 Southwest Adams Street Peoria, Illinois 61641

Dear Mr. Bennington:

The Agency has previously informed Keystone Steel and Wire of apparent violations of the Illinois Environmental Protection Act and/or rules and regulations adopted thereunder. These apparent violations are set forth in Attachment A of this letter.

As a result of these apparent violations, it is our intent to refer this matter to the Agency's legal staff for the preparation of a formal enforcement case. The Agency's legal staff will, in turn, refer this matter to the Office of Attorney General or to the United States Environmental Protection Agency for the filing of a formal complaint.

Prior to taking such action, however, you are requested to attend a Pre-Enforcement Conference to be held at the Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois. The purpose of this Conference will be:

- To discuss the validity of the apparent violations noted by Agency staff.
- 2. To arrive at a program to eliminate existing and/or future violations.

You should, therefore, bring such personnel and records to the conference as will enable a complete discussion of the above items. We have scheduled the Conference for July 24, 1991, at 10:00 a.m.. If this arrangement is inconvenient, you may arrange for an alternative date and time.



Page 2

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If either the above mentioned conference date or time is inconvenient or if you have any questions regarding this letter, please contact Andrew Vollmer at 217/782-9884.

Sincerely.

KII Rollanski

E. William Radlinski, Manager Planning and Reporting Section Division of Land Pollution Control

EMR: AV: JM: jas/2128q, 30-31

Attachment

cc: Division File Peoria Region USEPA Region V/ Joe Miller Bill Ingersall Andy Vollmer



Attachment A

- 1. Pursuant to 35 III. Adm. Code 725.243, an owner or operator of each facility shall establish financial assurance for closure of the facility. The owner or operator shall choose from the options as specified in subsection (a) through (e). You are in apparent violation of 35 III. Adm. Code 725.243 for the following reason(s): You failed to provide financial assurance for closure as required.
- Pursuant to 35 III. Adm. Code 725.247(a), an owner or operator of a nazardous waste treatment, storage or disposal facility, or a group of such facilities, shall demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs. This liability coverage may be demonstrated in one of three ways, as specified in subsections (a)(1), (a)(2) and (a)(3). You are in apparent violation of 35 III. Adm. Code 725.247(a) for the following reason(s): You failed to provide liability coverage for sudden accidental occurrences as required.
- Pursuant to 35 III. Adm. Code 725.247(b), an owner or operator of a surface impoundment, landfill or land treatment facility which is used to manage hazardous waste, or a group of such facilities, shall demonstrate financial responsibility for bodily injury and property damage to third parties caused by non-sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator shall have and maintain liability coverage for non-sudden accidental occurrences in the amount of at least \$3 million per occurrence with an annual aggregate of at least \$6 million, exclusive of legal defense costs. This liability coverage may be demonstrated in one of three ways, as specified in subsections (b)(1), (b)(2), and (b)(3). You are in apparent violation of 35 III. Adm. Code 725.247(b) for the following reason(s): You failed to provide liability coverage for non-sudden occurrences as required.

JM: jas/2128q.32

AND THE RESERVE OF THE PROPERTY OF THE PROPERT



217/732-6761

1430050001 -- Peoria County Refer to:

Keystone Steel & Wire

ILD000714381 Compliance File

COMPLIANCE INQUIRY LETTER

Certified #

June 10, 1991

Keystone Steel and Wire Attn: Dale L. Bennington, P.E. 7000 S.W. Adams Street Peoria, Illinois 61641

Dear Mr. Bennington:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 111. Adm. Code, Part 725 and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations.

The Agency's findings of apparent non-compliance listed in Attachment A are based on a April 19, 1991 review of Keystone Steel and Wire's file to see if any documents were submitted to the Agency to demonstrate compliance with the requirements of Subpart il. In addition, apparent violations found in previous evaluations were again observed and are set forth in Attachment 8 of this letter.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule, including dates, by which each violation will be resolved. The written response, and two copies of all documents submitted in reply to this letter, should be sent to the following:

Joe Hiller Compliance Unit Planning and Reporting Section Illinois Environmental Protection Agency Division of Land Pollution Control 2200 Churchill Road Post Office Box 19276 Springfield, Illinois 62794-9276



Page 2

Further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, III. Rev. Stat., Ch. III 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.

If you have any questions regarding the above, please contact Andrew Vollmer at 217/782-6761.

Sincerely.

Brian S. White, Manager Compliance Unit Planning and Reporting Section Division of Land Pollution Control

BSW: AV: Lill: jas/1710q. 15-16

cc: Division File Peoria Region Andrew Vollmer Joe Willer Bill Ingersall USEPA Region V



Attachaent A

Pursuant to 35 III. Adm. Code 725.245, an owner or operator of a facility with a hazardous waste disposal unit shall establish financial assurance for post-closure care of the disposal unit(s). You are in apparent violation of 35 III. Adm. Code 725.245 for failure to establish financial assurance for post-closure care.

UH: jas/17109,17



Attachment 3

- Pursuant to 35 Ill. Adm. Code 725.243, an owner or operator of each facility shall establish financial assurance for closure of the facility. The owner or operator shall choose from the options as specified in subsection (a) through (e). You are in apparent violation of 35 III. Adm. Code 725.243 for the following reason(s): You failed to provide financial assurance for closure as required.
- Pursuant to 35 Ill. Adm. Code 725.247(a), an owner or operator of a nazardous waste treatment, storage or disposal facility, or a group of such facilities, shall demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million. exclusive of legal defense costs. This liability coverage may be demonstrated in one of three ways, as specified in subsections (a)(1), (a)(2) and (a)(3). You are in apparent violation of 35 III. Adm. Code 725.247(a) for the following reason(s): You failed to provide liability coverage for sudden accidental accurrences as required.
- Pursuant to 35 III. Adm. Code 725.247(b), an owner or operator of a surface impoundment, landfill or land treatment facility which is used to manage hazardous waste, or a group of such facilities, shall demonstrate financial responsibility for bodily injury and property damage to third parties caused by non-sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator shall have and maintain liability coverage for non-sudden accidental occurrences in the amount of at least \$3 million per occurrence with an annual aggregate of at least \$6 million, exclusive of legal defense costs. This liability coverage may be demonstrated in one of three ways, as specified in subsections (b)(1), (b)(2), and (b)(3). You are in apparent violation of 35 III. Adm. Code 725.247(b) for the following reason(s): You failed to provide liability coverage for non-sudden occurrences as required.

LHH:jas/1710g.18



217/782-6761

Refer to: 1430050001 - Peoria County

Keystone Steel & Wire Company

ILD000714881 Compliance File

COMPLIANCE INQUIRY LETTER

Certified # P331397847

December 31, 1990

Keystone Steel & Wire Company Attn: Dale Bennington 7000 S.W. Adams Street Bartonville, Illinois 61641

Dear Mr. Bennington:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 Ill. Adm. Code, Part 703, Subparts B and C, Part 725, Subparts B, C, D, E, G, L and K, Part 722, Subparts B, C, D, E, F and G and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations.

The Agency's findings of apparent non-compliance listed in Attachment A are based on an inspection completed on November 14, 1990. For your convenience a copy of the inspection report is enclosed with this letter.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule, including dates, by which each violation will be resolved. The written response, and two copies of all documents submitted in reply to this letter, should be sent to the following:

Linda Hollinshead
Compliance Unit
Planning and Reporting Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

Please note that violations cited during previous inspections were again observed. These violations though not in the attachment are identified on page three of the attached inspection report.



Page 2

Further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.

If you have any questions regarding the above, please contact John Tripses at 309/693-5462.

E. William Radlinski, Manager Planning and Reporting Section Division of Land Pollution Control

EWR:JT:LHH:kkw/4231n,75-76

cc: Division File Peoria Region John Tripses Linda Hollinshead

Mark Gurnik, Legal Counsel

USEPA, Region V -



ATTACHMENT A

- 1. Pursuant to 35 Ill. Adm. Code 725.154, the contingency plan must be reviewed and immediately amended, if necessary, whenever:
 - Applicable regulations are revised;
 - b) The plan fails in an emergency;
 - c) The facility changes -- in its design, construction, operation, maintenance or other circumstances -- in a way that materially increases the potential for fires, explosions or releases of hazardous waste or hazardous waste constituents or changes the response necessary in an emergency;
 - d) The list of emergency coordinators changes; or
 - e) The list of emergency equipment changes.

You are in apparent violation of 35 Ill. Adm. Code 725.154 for the following reason(s): The contingency plan was not amended to show that Tom Ritterbusch is no longer an emergency coordinator. Mr. Ritterbusch no longer works for Keystone Steel & Wire Company. An apparent violation of Section 725,154 was originally observed during an inspection conducted on January 23, 1990 and cited in a Compliance Inquiry Letter dated April 18, 1990. The company responded on May 3, 1990 saying that the contingency plan had been amended to add Tex Streimetter and to remove Tom Ritterbusch. A Return To Compliance Letter resolving the apparent violation was sent to the facility on June 5, 1990. The contingency plan reviewed during the inspection still listed Tom Ritterbusch.

Pursuant to 35 Ill. Adm. Code 728.150(a)(1), except as provided in this Section, the storage of hazardous wastes restricted from land disposal under Subpart C is prohibited, unless the following conditions are met:

> A generator stores such wastes in tanks or containers on-site solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment or disposal and the generator complies with the requirements in 35 Ill. Adm. Code 722.134. (A generator who is in existence on the effective date of a regulation under this Part and who must store hazardous wastes for longer than 90 days due to the regulations under this Part becomes an owner or operator of a storage facility and must obtain a RCRA permit, as required by 35 Ill. Adm. Code 703. Such a facility may qualify for interim status upon compliance with the regulations governing interim status under 35 Ill. Adm. Code 703.153.)

You are in apparent violation of 35 Ill. Adm. Code 728.150(a)(1) for the following reason(s): Arc dust (K061) was stored in a waste pile.



Page 2

Pursuant to 35 III. Adm. Code 728.150(a)(2), except as provided in this Section, the storage of hazardous wastes restricted from land disposal under Subpart C is prohibited, unless the following conditions are met:

> An owner or operator of a hazardous waste treatment, storage or disposal facility stores such wastes in tanks or containers solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment or disposal and

- A) Each container is clearly marked to identify its contents and the date each period of accumulation begins;
- B) Each tank is clearly marked with a description of its contents, the quantity of each hazardous waste received and the date each period of accumulation begins, or such information is recorded and maintained in the operating record at the facility. Regardless of whether the tank itself is marked, the owner and operator shall comply with the operating record requirements of 35 III. Adm. Code 724.173 or 725.173.

You are in apparent violation of 35 Ill. Adm. Code 728,150(a)(2) for the following reason(s): Arc dust (KO61) was stored in a waste pile.

JT:LHH:kkw/4231n,77-78

Are Shap Dust Pile



November 12, 1990

Administrator
U.S. EPA
Region V
P.O. Box 70753
Chicago, IL 60673
Attn: 5H-12
Certified Mail #P 461 771 661

RE: DOCKET NO. V-W-90-R-12, CONSENT AGREEMENT & FINAL ORDER DATED OCTOBER 25, 1990.

Dear Administrator:

In accordance with Item F of the Final Order, please find enclosed a Cashier's check in the amount of \$40,875.00; payable to the Treasurer of the United States.

Copies of the transmittal of this payment have been sent to the following offices via this letter:

- USEPA Regional Hearing Clerk, Planning & Management Division (5 MF-14)
- USEPA Solid Waste & Emergency Response Branch Secretary, Office of Regional Counsel (5CS-TUB-3.

Address: 230 South Dearborn Street, Chicago, IL 60604

Sincerely,

DALE L. BENNINGTON, MANAGER

ENERGY & ENVIRONMENTAL ENGINEERING

DLB:bmk Enclosure

Cc:

USEPA (5MF 14)

USEPA (5CS-TUB-3)

- A. Running K & E
- R. End KCI
- E. Campbell
- R. Miller
- L. Pfeffinger
- L. Phillips

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IN THE MATTER OF:

KEYSTONE STEEL AND WIRE COMPANY 7000 S.W. ADAMS STREET PEORIA, ILLINOIS 61641

ILO 000 714 881

CONSENT AGREEMENT AND FINAL ORDER

PREAMBLE

On February 15, 1990, a Complaint and Compliance Order was filed in this matter pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. Section 6928(a)(1), and the United States Environmental Protection Agency's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22. The Complainant is the Associate Director, Office of RCRA, Waste Management Division, Region V, United States Environmental Protection Agency (U.S. EPA). The Respondent is Keystone Steel and Wire Company, located at 7000 S.W. Adams Street, Peoria, Ilinois 61641.

EINAL ORDER

Respondent shall pay a civil penalty in the amount of FORTY THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$40,875) within thirty (30) days of the effective date this Final Order. Payment shall be made by certified or cashier's check payable to the Treasurer of the United States and shall be mailed to U.S. EPA, Region V, P.O. Box 70753, Chicago, Illinois 60673. Copies of the transmittal of the payment should be sent to both the Regional Hearing Clerk, Planning and Management Division (5MF-14), and the Solid Waste and Emergency Response Branch Secretary, Office of Regional Counsel (5CS-TUB-3), U.S. EPA, 230 South Dearborn Street, Chicago, Illinois 60604.

First of America Bank - Illinois, N.A. 301 S.W. Adams Street, Peoria, Illinois 61631 Official Check 287334903

11-12

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Pay

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To the Order of

Keystone Steel & Wire Remitter:

Treasurer of the United StateCEIVED

3 0 NOV 1990

IEPA/DLPC

First of America Bank - Illinoi N

TO CITIBANK (NEW YORK STATE): BUFFALO, N.Y.

#022000B6B# B#140214 287334903

PART I.	BACKGROUND	,	>			•		
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PART V.	APPROVAL 1. PREPARER 2. CHIEF, RCRA ENF. 3. CHIEF, RCRA ENF. 4. ASSISTANT REGION Marc Radel 5. CHIEF, S.W. & E. 6. ASSOC. DIR., OFF	BRANCH AL COUNSEL R. SECTION	AMB LIEM MANGE MEM	1/22/90 1/23/90 1/24/20 2/12/9 2/12/9 2/14/20	10 XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	<pre>(</pre>	tipo	
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NOTE: Attach sign-off sheets to yellow copy of the enforcement action.

Significant Action

On October 25, 1990, the Director of the Waste Management Division signed a Consent Agreement and Final Order (CAFO) which requires Keystone Steel and Wire Company (Keystone), Peoria, Illinois to cease all illegal storage of K061 hazardous waste and to implement the closure plan for their former K061 waste pilewhen approved by the Illinois Environmental Protection Agency. A penalty of \$40,875 will be paid by Keystone within thirty days.

This CAFO resolves our February 15, 1990, complaint concerning Keystone's illegal storage of K061 hazardous waste between February 22, 1989, and December 15, 1989, in an unauthorized waste pile.

REB Contact: Dan Bakk (6-3781)

ORC CONTACT: Marc Radell

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Glenn R. Simmons, President Keystone Consolidated Industries 5430 LBJ Freeway Suite 1700 Dallas, Texas 75240

Re: Consent Agreement and Final Order Keystone Steel & Wire Co.

Dear Mr. Simmons:

I have enclosed the fully executed Consent Agreement and Final Order between the United States Environmental Protection Agency and Keystone Steel & Wire Company. Please distribute this document to the appropriate party.

Thank you for your cooperation in this matter. Sincerely yours,

David A. Ullrich, Director Waste Management Division

Enclosures

CC: Andrew R. Running
Beverely Shorty
Gary King, IEPA
Glenn Savage, IEPA

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

IN THE MATTER OF:

KEYSTONE STEEL AND WIRE COMPANY
7000 S.W. ADAMS STREET
PEORIA, ILLINOIS 61641

ILD 000 714 881

DOCKET NO. V-W-90-R-12

CONSENT AGREEMENT AND FINAL ORDER

PREAMBLE On February 15, 1990, a Complaint and Compliance Order was filed in this matter pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. Section 6928(a)(1), and the United States Environmental Protection Agency's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22. The Commant is the Associate Director, Office of RCRA, Waste Management Division 🔩 States Environmental RECEIPT FOR CERTIFIED MAIL

NOT FOR INTERNATIONAL MAIL

Coa Careary Protection Agency (U.S. EPA). Th el and Wire Company, located at 7000 S.W. Ac UNITED STATES POSTAL S' CON. OFFICIAL BUSINES LBJ IND Freeway SENDER INSTRUCT Print your name, address of in the space below. Complete items 1, 2, 3 reverse. Attach to front of Special Delivery Fee The partie permits, otherwise Restricted Delivery Fee article. ALTY FOR PRIVATE stipulati Endorse Endorse article Requested" adjac USE, \$300 RETURN ne space below. 1. Эf Violation OIN AGENCY 2. F in th tone Consolidated Industries at 5430 11as, Texas 75240.

Respondent owns and operates a facility located at 7000 S.W. Adams Street,
Peoria, Illinois 61641; Respondent's facility at this address is also known as
the Bartonville Plant.

- 3. Respondent admits the jurisdictional allegations contained in the Complaint.
- 4. Respondent does not admit the specific factual allegations contained in the Complaint.
- 5. Respondent explicitly waives its right to a hearing on the allegations contained in the Complaint.
- 6. Should the Respondent fail to comply with any provision contained in the subsequent Final Order, Respondent waives any rights it may possess in law or equity to challenge the authority of the U.S. EPA to bring a civil action in the appropriate United States district court to compel compliance with the Final Order and/or to seek an additional penalty for the non-compliance.
- 7. Respondent consents to the issuance of the Order hereinafter set forth and hereby consents to the payment of a civil penalty in the amount therein specified.
- 8. On January 30, 1986, the State of Illinois was granted final authorization by the Administrator of the U.S. EPA, pursuant to Section 3006(b) of RCRA, 42 U.S.C. Section 6926(b), to administer a hazardous waste program in lieu of the Federal program. Section 3008 of RCRA, 42 U.S.C. Section 6928, provides that the U.S. EPA may enforce State regulations in

those States authorized to administer a hazardous waste program.

9. This Consent Agreement and Final Order shall become effective on the date it is signed by the Waste Management Division Director.

FINAL ORDER

Based on the foregoing stipulations, the parties agree to the entry of the following Final Order:

- A. Respondent shall, immediately upon the effective date of this Order, cease all treatment, storage, or disposal of any KO61 hazardous waste except such treatment, storage, or disposal as shall be in compliance with the RCRA standards applicable to owners and operators of hazardous waste treatment, storage, and disposal facilities; including the land disposal restrictions at 40 CFR 268.
- B. Respondent shall, immediately upon the effective date of this Order, achieve and maintain compliance with the RCRA standards applicable to generators of K061 hazardous waste.
- C. Respondent shall implement the closure plan for the KO61 waste pile when approved by the Illinois Environmental Protection Agency (IEPA) according to the schedule set forth in the approved plan.
- D. Respondent shall notify U.S. EPA in writing upon achieving compliance with this Order or any part thereof. The notification(s) of compliance shall be attested to by a responsible official who shall state:

"I certify that the information contained in or accompanying

this notification of compliance is true, accurate, and complete."

This notification shall be submitted no later than the time stipulated above to the Waste Management Division, U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, Attention: Daniel Bakk, RCRA Enforcement Branch, 5HR-12.

- E. A copy of these documents and all correspondence with U.S. EPA regarding this Order shall also be submitted to Mr. Scott Phillips, IEPA, 2200 Churchill Road. Springfield, Illinois 62706.
- F. Respondent shall pay a civil penalty in the amount of FORTY THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$40,875) within thirty (30) days of the effective date this Final Order. Payment shall be made by certified or cashier's check payable to the Treasurer of the United States and shall be mailed to U.S. EPA, Region V, P.O. Box 70753, Chicago, Illinois 60673. Copies of the transmittal of the payment should be sent to both the Regional Hearing Clerk, Planning and Management Division (5MF-14), and the Solid Waste and Emergency Response Branch Secretary, Office of Regional Counsel (5CS-TUB-3), U.S. EPA, 230 South Dearborn Street, Chicago, Illinois 60604.

The U.S. EPA may collect interest on any amounts overdue under the terms of this Final Order at the rate established by the Secretary of Treasury pursuant to 31 U.S.C. Section 3717. A late payment handling charge of \$20.00 will be imposed on any late payment, with an additional charge of \$10.00 for each subsequent 30-day period over which an unpaid balance remains.

Failure to comply with any requirement of this Final Order may subject
Respondent to liability for a penalty of up to TWENTY-FIVE THOUSAND DOLLARS

(\$25,000) for each day of continued noncompliance with terms of the Final Order. U.S. EPA is authorized to assess such penalties pursuant to RCRA Section 3008(c).

This Order constitutes a settlement and final disposition of the Complaint filed in this case and stipulations hereinbefore recited.

Notwithstanding any other provision of this Order, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. Section 6973, or other statutory authority should U.S. EPA find that the handling, storage, treatment, transportation, or disposal of solid waste or hazardous waste at the facility may present an imminent and substantial endangerment to human health or the environment. U.S. EPA also expressly reserves the right to take any action necessary under Section 3008 of RCRA to enforce compliance with the applicable provisions of 329 IAC 3; 40 CFR Parts 124 and 270; and this Order.

SIGNATORIES

Each undersigned representative of a party to this Consent Agreement and Final Order consisting of six (6) pages certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement and Final Order and to legally bind such party to this document.

Agreed to this 24 day of 4	liptembu.	1990
By Robel W Sun, w Keystone Steel and Wire Company Respondent		
Title President		·
Agreed this 25^{11} day of 0	ctober,	1990
By William E. Muno, Acting Associate Director Office of RCRA, Waste Management Division U.S. Environmental Protection Agency Region V, Complainant		
The above being agreed and consented to, it	is so ordered	
this day of	Piloba	, 1990
David A. Ullrich, Director Waste Management Division U.S. Environmental Protection Agency Region V	IN THE MATTER OF: KEYSTONE STEEL AND W' 7000 S.W. ADAMS STREE PEORIA, ILLINOIS 610 DOCKET NO. V-W-90-R-	ET 541

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing CAFO to be served upon the person designated, in the U.S. Mail, First Class and certified-return receipt requested, postage prepaid, at Chicago, Illinois in an envelope addressed to:

Glenn R. Simmons, President Keystone Consolidated Industries 5430 LBJ Freeway, Ste 1700 Dallas, TX 75240

I have further caused the original of the CAFO and this Certificate of Service to be served in the Office of the Regional Hearing Clerk, located in the Planning and Management Division, U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, on the date below.

These are said person's last known address to the subscriber.

Dated this <u>26</u> day of <u>October</u> 1990.

Jean Sharp, Office of BCRA

US EPA, Region V

John Tripses 235933

6962 322 50% 169024 50% 159025

BEHNINGTON

VB

¥30771

1

ESE ENVIRONMENTAL ENGINEERING 8901 FORTH INDUSTRIAL ROAD PEORIA IL 61615 ATTN KEN KONTER

SERVICE

NET 45

YOUR TRUCK

12/31/90

OUR PLANT

7/13/90

PROVIDE PROFESSIONAL SERVICES TO ASSIST KEYSTONE
IN COMPLIANCE WITH EAZARDOUS WASTE REGULATIONS
INCLUDING DEVELOPMENT OF CONTINGENCY PLANS
AND HAZARDOUS WASTE TRAINING FOR ALL AFFECTED
EMPLOYEES AS DESCRIBED IN YOUR LETTER AND
PROPOSAL DATED JULY 9, 1990 ATTACHED AND HADE
PART OF THIS ORDER

Professional Services for Keystone Steel & Wire Company

vironmental Science & Engineering, Inc. (ESE), 8901 N. Industrial Rd., Peoria, Illinois, called ENGINEER and Keystone Steel & Wire Company, OWNER, agree that ENGINEER shall provide professional services described in Article 1 in accordance with and subject to the terms and conditions set forth herein.

The project scope consists of assisting OWNER with compliance with hazardous waste regulations.

ARTICLE 1 - SCOPE OF PROFESSIONAL SERVICES

ENGINEER agrees to furnish labor, materials, equipment, and other items required to complete for the OWNER, the services herein described.

1.1 Contingency Plan

ENGINEER will develop a site Contingency Plan and Emergency Response Procedure to meet the requirements of Section 725, Subpart D.

1. 7. Training

Based on the Contingency Plan, and in accordance with the requirements of Section 725.116 A to E; ENGINEER will develop a training program and conduct classes for required personnel.

1.3 RCRA Compliance

During the development of the program listed above, ENGINEER will provide recommendations for improvement of compliance with hazardous waste regulations at the facility.

1.4 Timing

The program detailed in Sections 1.1 and 1.2 above will be completed before the end of the Calendar Year 1990 based on timely approval of this Proposal.

1.5 Additional Services

When requested by OWNER, ENGINEER will provide additional services.

ARTICLE 2 - PAYMENT TO ENGINEER

2.1 Method of Compensation

A. Compensation for services of the ENGINEER will be on the basis of Payroll Cost times 2.5 for services rendered by principals and employees assigned to the project.

lated to, or are based upon the dispersal, discharge, escape, a saturation of smoke, vapors, soot, fumes, acids, alkalis, toxic liquids, gases, or any other material, irritant, contaminant or utant in or into the atmosphere, or on, onto, upon, in or into the surface or subsurface (a) soil, (b) water or watercourse, (c) objects, or (d) any tangible or intangible matter, whether sudden or not.

The OWNER acknowledges that the ENGINEER is a corporation and agrees that any claim made by the OWNER arising out of any act or omission of any director, officer or employee of the ENGINEER in the execution or performance of this Agreement, shall be made against the ENGINEER and not against such director, officer or employee.

3.4 Acceptance by OWNER

This Proposal shall constitute an agreement for services for the work defined. If acceptable to OWNER, please sign and raturn two copies to Environmental Science and Engineering, Inc., ENGINEER.

ACCEPTED FOR ENGINEER:		
By fregry theyord	Date: _	7-17-90
Title: //ce President		
Attest: Bishand Helm		
ACCEPTED FOR OWNER:		
By: Nalo J. Bennington	Date: _	July, 11, 1990
Title: Manager Esteray & Enry	tnmen	tel Engineery,
Attest: David & Simelant		July

*** 6kw-298

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

DATE:

SUBJECT: CAFO for Keystone Steel & Wire Company,

Peoria, Illinois

Docket No. V-W-90-R-12

FROM: William E. Muno, Acting Associate

Division Director, Office of RCRA

TO: David A. Ullrich, Director Waste Management Division

The attached CAFO package for Keystone Steel and Wire Company (Keystone), Peoria, Illinois has been negotiated to resolve our February 15, 1990, Complaint concerning Keystone's storage of K061 hazardous waste in an unauthorized waste pile without a permit or interim status. Additionally, the waste pile was constructed without meeting the required design requirements for liners and a leachate collection system, and in violation of land disposal restrictions.

In this Order Keystone has agreed to cease storage of K061 at their facility; comply with RCRA standards applicable to generators of K061; implement the IEPA approved closure plan for the former K061 waste pile; and pay a civil penalty of \$40,875. Our initial penalty demand was \$54,500 and was entirely gravity based. This amount was reduced by 25% to reflect good faith efforts on the part of Keystone in notifying regulatory agencies of the existence of the K061 waste pile and the prompt removal and submission of a closure plan prior to the issuance of our Complaint on this matter. The Order requires payment of the penalty within 30 days of the effective date.

I recommend that you sign this Order and the attached transmittal letter. Please return the CAFO package to my office for distribution.

Attachments

10/25/90

Wm. E. Muno

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

DATE:

SUBJECT: CAFO for Keystone Steel & Wire Company,

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Attachments

5HR-12:DBakk:be:10/3/90/Filename:Keystone

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	Asst. Regional Counsel	MMX	10:15/90	<u>/</u>	
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	Director, WMD	MI	10/15/90	/	

RCRA CONSENT AGREEMENT AND FINAL ORDER SIGN-OFF

PART I	BACKGROUND		•	' /	
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	Chief, RCRA Enf. Branch				
	Asst. Regional Counsel				
	Chief, S.W.E.R. Section				
	Assoc. Dir., Office of RCRA				
	Director, WMD				· -

PART V RETURN TO J. SHARP, 5HR-13, FOR MAILING

1st round

KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive Chicago, Illinois 60601

To Call Writer Direct: 312 861-2412

312 861-2000

Facsimile: 312 861-2200

June 14, 1990

Marc M. Radell, Esq.
United States Environmental
Protection Agency
Region V
230 South Dearborn Street
5CS-TUB-3
16th Floor
Chicago, Illinois 60604

Re: In The Matter Of: Keystone Steel & Wire Co., Docket No. V-W-90 R-12

Dear Marc:

During our settlement conference on May 1st, Keystone agreed to provide you with more information concerning the waste pile and Keystone's efforts to locate alternative treatment facilities. The enclosed engineering drawing, which was submitted to IEPA with Keystone's original closure plan, should answer the questions you raised at the meeting concerning the pile.

Keystone's efforts to secure authorized treatment and disposal for the arc shop dust stored in the pile focused in three areas:

- 1. Keystone's environmental engineer worked with a manufacturer of Portland Cement (Continental Cement Co., Hannibal, Missouri) in a joint effort to recycle the dust as a raw material in the cement manufacturing process. This recycling program progressed through the testing phase and into the operational phase, but the program was discontinued by the cement manufacturer after only 500 tons had been recycled.
- 2. Keystone's environmental engineer attempted to secure the required treatment capacity through Chemical Waste Management, Inc. He visited the only Chemical Waste Management facility treating K061 dust at the time, in Lake Charles, Louisiana.

Denver

Los Angeles

New York

Washington D.C.

KIRKLAND & ELLIS

Marc M. Radell, Esq. June 14, 1990 Page 2

After visiting the Lake Charles facility he learned it could not accept Keystone's wastes.

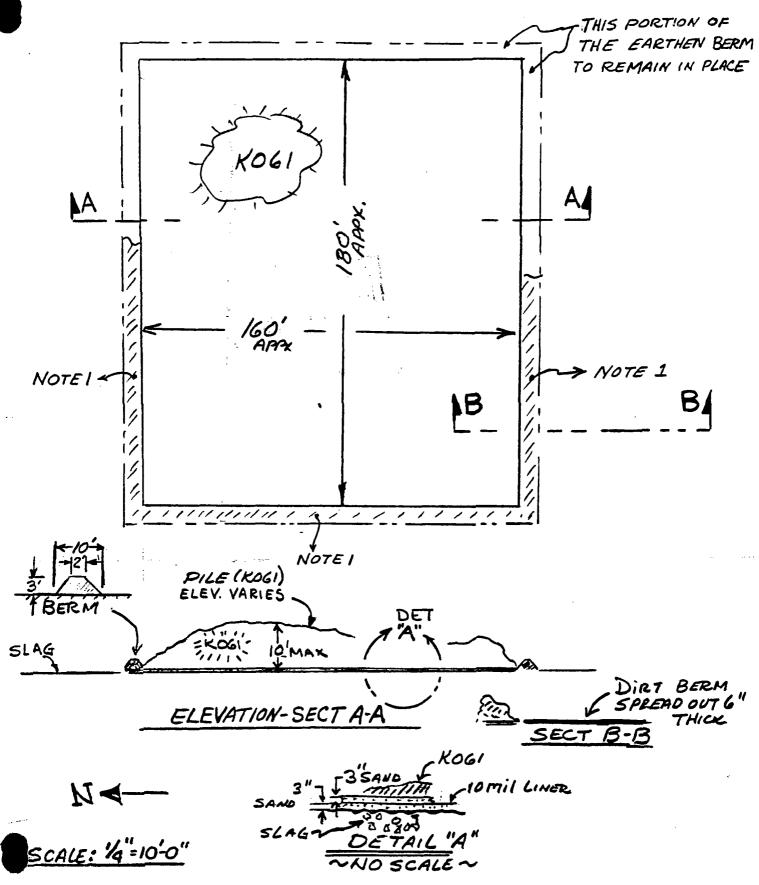
3. Keystone was ultimately successful in working with Peoria Disposal Company to obtain a treatment permit for Keystone's K061 arc shop dust. The variability of Keystone's dust (attributable to the relatively wide tolerances used in producing Keystone's low-alloy steel from scrap metal) necessitated considerable refinements to the standard K061 treatment process, which Peoria Disposal Company implemented in August 1989.

After you have had a chance to review this information, please call me at your convenience to discuss how we should proceed in light of Administrative Law Judge Nissen's May 11th letter.

Sincerely,

Andrew R. Running

ARR:pad Enclosure



1. THIS PORTION OF BERM TO BE REMOVED BY CONTR FOR ACCESS TO PILE. THE

EARTHEN BERM TO BE SPREAD OUT PER SECTION B-B.

NOTES:

-3-

MAY 0 2 1990

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Dale Bennington,
Manager of Energy and
Environmental Engineering
Keystone Steel & Wire Co.
7000 South Adams
Bartonville, IL., 61641

Re: Land Disposal Restriction Inspection ILD 000 714 881

Dear Mr. Bennington:

The United States Environmental Protection Agency has reviewed the January 23, 1990, Illinois Environmental Protection Agency Land Disposal Restriction inspection report for your facility located in Bartonville, Illinois and has determined that it is currently in compliance with the Land Disposal Restriction requirements of the Resource Conservation and Recovery Act as amended.

If you have any questions regarding this matter, please contact Daniel Bakk of my staff at (312) 886-3781.

Joseph M. Boyle, Chief IL/IN Technical Enforcement Section

cc: Angela Aye Tin, IEPA Glenn Savage, IEPA

5HR-12Bakk:be:6-4465:4/26/90:FilenameDBenning.LDR

	TYP.	AUTH.	IL/IN TECH. ENF. SEC.	MI/WI TECH. ENF. SEC.	OH/MN TECH. ENF. SCC.	1L/MI/WE	IN/MN/OH ENF. PROG. SECTION	O. R. A.D.D.	WMD DIR
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SENDER: Complete items 1 and 2 when additional a 3 and 4. Put your address in the "RETURN TO" Space on the reversard from being returned to you. The return receipt fee will be to end the date of delivery. For additional fees the following for fees and check box(es) for additional service(s) request 1. Show to whom delivered, date, and addressee's additional fees the following for fees and check box(es) for additional service(s) request 1.	se side. Failure to do this will prevent this to the you the name of the person delivered services are available. Consult postmaster sed.
3. Article Addressed to:	4. Article Number
Dale Bennington Keystone & Wire Company 7000 South Adams Bartonville, IL 61641	Type of Service: Register Cortified Cortified Return Receipt for Merchandise
	Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature – Address X 6. Signature – Agent X to sull fillian 7. Date of Delivery	8. Addressee's Address (ONLY if requisted and fee paid)

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Registere Consolidated mtg 5/1/90

Mare Radell

U.S. EPA (312) 886-7948

RALPH END

KRYSTONE CONSOLIDATED 214-450-4297

Andy Running

Kaystone (Korkland & Ellis) 312-861-2412

Bob Miller

Keystone Steel & Wire 309-697-7527

Odn Bakk

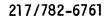
U.S. EPA (312) 886-3781

5/1/90 Meeting with Keyston on 2/15/20 compliant Ralph End - Gen. Comset - Dallas office Bob, Miller - Plant Operations - Peoria Andrew Munning - Outside Consel Marc Radell Ban Bakk pile was constructed on 4/2 fill mer in middle of p/2+ - imperiistele with 2 gringle p/25tic ground liner was coverled with 411/2ndfill) perm was built file sores no evidence of waterists file wever exceeded 10' high pile removed by 12/15/89 12/6/87 Closure plan Acles Conditionally approved by IEMA frist issues on elesume to be resolved with IERA this Morth (may) Keyston offend Frok me contened with a 20% reduction

Keystone will send us information on their Mobiles with disposing of the Kobi and more destrils on the pile contruction and safety werenes (liners & dern)

Negotistions will continue by





Refer to: 1430050001 -- Peoria County

Keystone Steel and Wire Company

ILD000714881 Compliance File

COMPLIANCE INQUIRY LETTER

Certified #P 562 336 662

April 18, 1990

Keystone Steel and Wire Company Attn: Dale Bennington 7000 South Adams Bartonville, Illinois 61641

Dear Mr. Bennington:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 III. Adm. Code. Subtitle G and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations. The Agency's findings of apparent non-compliance listed in Attachment A are based on an inspection completed on January 23, 1990. For your convenience a copy of the inspection report is enclosed with this letter. The Agency's findings of apparent non-compliance listed on Attachment B are based on an April 12, 1990 review of documents submitted to the Agency to demonstrate compliance with the requirements of Section 725.175, Annual Reports due March 1, 1990.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule, including dates, by which each violation will be resolved. The written response, and two copies of all documents submitted in reply to this letter, should be sent to the following:

> Angela Aye Tin, Manager Technical Compliance Unit Compliance Section Illinois Environmental Protection Agency Division of Land Pollution Control 2200 Churchill Road Post Office Box 19276 Springfield, Illinois 62794-9276

At the time of the inspection, apparent violations found in previous inspections conducted on February 22, 1985, February 23, 1988, and November 28, 1988 were again observed.





Page 2

Further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.

If you have any questions regarding Attachment A, please contact James Jones at 309/693-5462. For questions regarding Attachment B, please contact Kenn Liss at 217/782-6761.

Sincerely.

Ungela aye Din Angela Aye Tin, Manager

Technical Compliance Unit Compliance Section Division of Land Pollution Control

AAT:JJ:BL/mls/1195n/82-83

cc: Division File Peoria Region Kenn Liss Mark Gurnik James Jones Chris Nifong USEPA Region V Becky Lockart



ATTACHMENT A

- 1. Pursuant to 35 Ill. Adm. Code 722.123(d), for rail shipments of hazardous waste within the United States which originate at the site of generation, the generator must send at least three copies of the manifest dated and signed in accordance with this Section to:
 - The next non-rail transporter, if any; or a.
 - The designated facility if transported solely by rail; or b.
 - The last rail transporter to handle the waste in the United States if C. exported by rail.

You are in apparent violation of 35 Ill. Adm. Code 722.123(d) for the following reason(s): Your facility did not send at least three copies of the manifest dated and signed in accordance with this Section to the designated facility for the shipment of arc dust (KO61) shipped solely by rail.

- 2. Pursuant to 35 Ill. Adm. Code 725.154, the contingency plan must be reviewed and immediately amended, if necessary, whenever:
 - Applicable regulations are revised; a.
 - b. The plan fails in an emergency;
 - The facility changes -- in its design, construction, operation, maintenance or other circumstances -- in a way that materially increases the potential for fires, explosions or releases of hazardous waste or hazardous waste constituents or changes the response necessary in an emergency;
 - d. The list of emergency coordinators changes;
 - The list of emergency equipment changes. e.

You are in apparent violation of 35 Ill. Adm. Code 725.154 for the following reason(s): Your facility did not amend your contingency plan when the list of emergency coordinators changed. Thomas K. Ritterbusch is listed as an alternate emergency coordinator; he no longer works for your company.

BL/mls/1195n/84



ATTACHMENT B

1. Pursuant to 35 Ill. Adm. Code 725.194(b)(2), if the groundwater is monitored to satisfy the requirements of Section 725.193(d)(4) the owner or operator must annually, until final closure of the facility, submit to the Director a report containing the results of his groundwater quality assessment program which includes, but is not limited to, the calculated (or measured) rate of migration of hazardous waste or hazardous waste constituents in the groundwater during the reporting period. This report must be submitted as part of the annual report required under Section 725.175.

You are in apparent violation of 35 Ill. Adm. Code 725.194(b)(2) for the following reason(s): The report required above was not submitted as part of the Annual Report.

BL/mls/1195n/85

oris to file

Keystone Steel + Wire Co. ZLO 000 71484 Subport P

.WW Engineering & Science, Inc.

GEOSCIENCES • 627 N. Morton Street • Bloomington, Indiana 47404 • PH (812) 336-0972 Fax (812) 336-3991

March 27, 1990

Mr. Kenn Liss Illinois EPA 2200 Churchill Road Springfield, IL 62706 **RECEIVED**

MAR 2 9 1990

Dear Mr. Liss:

IEPA-DLPC

RE: Keystone Steel & Wire Company Ground Water Assessment

The purpose of this letter is to inform you of our progress on the ground water assessment studies currently being performed at the Keystone site. All proposed monitoring wells and piezometers, including one additional well, were completed on February 23, 1990.

The first round of ground water sampling for the Table 2 parameter list was conducted February 26 through 28. Twenty-six new wells and 12 of the existing wells were sampled for the Table 2 parameters, and the seven existing wells around the Retention Reservoir were sampled for lead, cadmium and chromium. We also sampled the three new piezometers for volatile organics, although they were not completed with stainless steel screens.

All new wells and piezometers were surveyed during the week of March 19, and we anticipate the survey results the last week of March.

We plan to start field hydraulic conductivity testing of monitoring wells during the second week of April. Currently, we are putting together geologic cross sections, ground water maps, and assimilating data collected during field studies.

Please contact me if you have any questions regarding our studies or if you would like to arrange a field meeting to discuss the project.

Sincerely,

Robert E. Aten Senior Geologist

kh

cc: D. Bennington

L. Phillips

A. Running

copieà and Wand Le ivered to Marc Radell 3/21/90. Marc

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive Chicago, Illinois 60601

To Call Writer Direct: 312 861-2412

312 861-2000

March 15, 1990

Mr. Daniel Bakk U.S. Environmental Protection Agency RCRA Enforcement Branch (5HR-12) 230 South Dearborn Street Chicago, Illinois 60604

Re: In The Matter Of: Keystone Steel & Wire Co.; ILD 000 714 881; Docket No. V-W-90 R-12.

Dear Mr. Bakk:

Keystone Consolidated Industries hereby requests that an informal settlement conference be scheduled in advance of the requested hearing on the above-referenced administrative complaint. To facilitate such a conference, I will briefly summarize Keystone's responses to the compliance order and the complaint.

I. Compliance Order

The February 15, 1990 order requires Keystone to cease storing arc shop dust outside its steel plant immediately, to remove and properly dispose of the pile within 30 days, and to implement such measures as are required by IEPA after approval of Keystone's closure plan for the pile.

Keystone is puzzled about the reasons for issuance of such an order, in view of the following facts:

A. Keystone has not placed any arc shop dust on the pile since August 7, 1989, when the available treatment and disposal capacity at Peoria Disposal Company first allowed for the licensed disposal of Keystone's daily generation of arc shop dust. As soon as the available licensed disposal capacity allowed, Keystone committed to IEPA to transport its daily production of arc shop dust directly to the off-site treatment and disposal facility.

Denver Los Angeles New York Washington D.C.

KIRKLAND & ELLIS

Mr. Daniel Bakk March 15, 1990 Page 2

(See Keystone's August 16, 1989 letter to IEPA, attached hereto.)

- B. Utilizing all of Peoria Disposal Company's available treatment and disposal capacity, Keystone eliminated the arc shop dust pile by December 15, 1989.
- C. Keystone has complied with all closure planning commitments made to IEPA to date. There is no need for Keystone to be "ordered" to comply with regulatory obligations it has never disputed.

II. U.S. EPA's Complaint

Keystone never concealed the problems it had in securing licensed treatment and disposal capacity for its waste arc shop dust. To the contrary, Keystone's environmental engineer cited the existence of this problem in his contacts with regulatory officials as the reason for the company's interest in the expedited licensing of Peoria Disposal Company's arc shop dust treatment operations. For example, Keystone sent its environmental engineer to a June 29, 1989 meeting with U.S. EPA hazardous waste treatment experts in Washington to assist in the analysis of deviations in Peoria Disposal's treatment results, and to urge the prompt completion of the licensing process.

As detailed in the enclosed correspondence from Keystone to IEPA, Keystone also investigated alternatives to Peoria Disposal Company. (See Keystone's April 12, 1989 and July 14, 1989 letters to IEPA, attached hereto.) In its April 12, 1989 letter, Keystone requested "[a]ny assistance either IEPA or U.S. EPA could provide to resolve this problem." The temporary problem of inadequate treatment and disposal capacity created by the RCRA land disposal ban was, however, beyond both Keystone's and IEPA's control. Short of shutting down its steel mill, Keystone had no alternative but to temporarily store its arc shop dust within a secure, lined and bermed area of its plant site. As soon as the licensed treatment and disposal capacity became available, Keystone resumed the offsite disposal of newly generated wastes and contracted for the expedited removal of the stored wastes.

KIRKLAND & ELLIS

Mr. Daniel Bakk March 15, 1990 Page 3

Given these facts, Keystone submits that the temporary, on-site storage of its arc shop dust was "necessary to facilitate proper recovery, treatment, or disposal." (Cf. Complaint ¶¶s 9 and 13) Moreover, investigations to date show that no damage to the environment resulted from use of this temporary storage area. Keystone therefore believes there is no factual or legal basis for U.S. EPA's liability findings or for the proposed civil penalty.

Please call me when you are ready to schedule a settlement conference in this matter.

Sincerely,

Andrew R. Running

ARR:pad Enclosures



Media Contact: Suzanne Kircos

(312) 886-7935

Technical Contact: Daniel Bakk

(312) 886-4466

FOR IMMEDIATE RELEASE;

NO.

THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FILES ADMINISTRATIVE COMPLAINT AGAINST KEYSTONE STEEL AND WIRE COMPANY FOR HAZARDOUS WASTE VIOLATIONS.

The United States Environmental Protection Agency (U.S. EPA) Region V today announced the filing of a civil administrative action against Keystone Steel and Wire Company.

The Complaint against Keystone Steel and Wire Company proposes a penalty of \$54,500, and charges that the Bartonville plant located at Peoria, Illinois, has violated Federal regulations contained in the Resource Conservation and Recovery Act (RCRA) relating to land disposal of hazardous waste from its electric furnaces.

Keystone Steel and Wire Company has the right to request that U.S. EPA hold a settlement conference and a hearing to discuss the charges. The company must make such a request by March 19, 1990.

The Complaint and Compliance Order was 13 sued on February 15, 1990. Significant Action

On February 15, 1990, U.S. EPA issued an Administrative Complaint against

Keystone Steel and Wire Company of Peoria, Illinois (ILD 000 714 881) for

violations related to the land disposal of electric arc furnace dust (KO61)

hazardous waste. Keystone is currently operating as a generator and is not

seeking a permit under RCRA.

The complaint alleges that Keystone has placed and/or stored K061 hazardous

waste in a new waste pile from February 22, 1989, to present in violation of

the "first third" land disposal restrictions. Additionally, this waste pile

was developed without a permit or interim status and was not constructed to

meet the design requirements for liners and leachate collection.

The regulations applicable to these violations are cited at 40 CFR 264, 268

and 270. The complaint proposes a penalty of \$54,500.

Technical Contact: Dan Bakk

886-3781

Legal Contact: Marc Radell

886-7948

5HR-12:DBakk:be:6-3781:2/21/90:Filename:Signif.Act



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST. CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF

5HR-13

FEB 15 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Glenn R. Simmons, President Keystone Consolidated Industries 5430 IBJ Freeway Suite 1700 Dallas, Texas 75240

Re: Complaint, Findings of
Violation and Compliance
Order
Keystone Steel and Wire
Company
ILD 000 714 881

Dear Mr. Simmons:

V-V-90 R-12

Enclosed please find a Complaint and Compliance Order which specifies this Agency's determination of certain violations by Keystone Steel and Wire Company of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. 6901 et seq. This Agency's determination is based on an inspection of the facility located at 7000 S.W. Adams Street, Peoria, Illinois 61641, also known as the Bartonville Plant, by the Illinois Environmental Protection Agency and other information in our files. The Findings in the Complaint state the reasons for such a determination. In essence, the facility failed to meet particular requirements of RCRA relating to the Land Disposal Restrictions.

Accompanying the Complaint is a Notice of Opportunity for Hearing. Should you desire to contest the Complaint, a written request for a hearing is required to be filed with Ms. Beverely Shorty, Regional Hearing Clerk (5MF-14), United States Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, within 30 days from receipt of this Complaint. A copy of your request should also be sent to Marc Radell, Office of Regional Counsel (5CS-TUB-3) at the above address.

Regardless of whether you choose to request a hearing within the prescribed time limit following service of this Complaint, you are extended an opportunity to request an informal settlement conference.

If you have any questions or desire to request an informal conference for the purpose of settlement with Waste Management Division staff, please contact Mr. Daniel Bakk, United States Environmental Protection Agency, RCRA Enforcement Branch (5HR-12), 230 South Dearborn Street, Chicago, Illinois 60604. His phone number is (312) 886-3781.

Sincerely yours,

David A. Ullrich Associate Director, Office of RCRA Waste Management Division

Enclosure

cc: Dale Bennington, Keystone Steel and Wire Company Gary King, IEPA Glenn Savage, IEPA Harry Chappel, IEPA

bcc: Robert Small, (OS-520)
Marc Radell, (ORC 5CS-TUB-3)
Jean Sharp, 5HR-13
Beverely Shorty, 5MF-14
George Hamper, 5HS-13

5HR-12:DBakk:nd:6-3781:1/23/90:PC#12, Keystone

SENDER: Complete items 1 and 2 when additiona 3 and 4.	services are desired, and complete items
Put your address in the "RETURN TO" Space on the revicard from being returned to you. The return receipt fee will to and the date of delivery. For additional fees the following for fees and check box(es) for additional service(s) reques 1. Show to whom delivered, date, and addressee's a	provide you the name of the person delivered g services are available. Consult postmaster sted. ddress. 2. Restricted Delivery
(Extra charge) 3. Article Addressed to:	(Extra charge) 4. Article Number
3. Article Addressed to.	
G.R. SIMMONS	371 346 087 Type of Service:
KEYSTONE Con. IND	Registered Insured
5430 LBJ Freeway	☐ Certified ☐ COD
Dallas, TX	Express Mail Return Receipt for Merchandise
, ,	Always obtain signature of addressee
	or agent and DATE DELIVERED.
5. Signature Address X 6. Signature Agent Agent	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature – Agent	┪
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7. Date of Delivery	7
2-21-90	
PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-21	2-865 DOMESTIC RETURN RECEIPT
SENDER: Complete items 1 and 2 when additional s	ervices are desired, and complete items
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i. ☐ Show to whom delivered, date, and addressee's add (Extra charge)	(Extra charge)
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D. BENNINGTON MGR	371 346 089
Energy & Environ	Type of Service:
Keystone Steel & Wire	Registered Insured Certified COD
7000 SW ADAMS ST.	Express Mail Return Receipt for Merchandise
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κ	requested and fee paid)
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P 371 346 U89 RECEIPT FOR CERTIFIED MAIL

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NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL

See Reverse)

Sent to D. BENNINGTON, Mgr Energy & Environ.

Street and Sip Code Peoria, IL 61641

Postage

Certified Fee

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P 371 346 087
RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to G.R. SIMMONS

Keystone Consolidated

Strengton No BJ Freeway

P.O. State and ZIP Code
Dallas, TX 75240

Postage \$1.05

Certified Fee

Special Delivery Fee

Return Receipt Showing Date, and Address of TOTAL Postage, Postmark or Da

Restricted Delivery Fee
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to whom and Date Delig

PS Form 3800, Feb.

Regardless of whether you choose to request a hearing within the prescribed time limit following service of this Complaint, you are extended an opportunity to request an informal settlement/conference.

If you have any questions or desire to request an informal conference for the purpose of settlement with Waste Management Division staff, please contact Mr. Daniel Bakk, United States/Environmental Protection Agency, RCRA Enforcement Branch (5HR-12), 230 South Dearborn Street, Chicago, Illinois 60604. His phone number is (312) 886-3781.

Sincerely,

David A. Ullrich, Associate/Director Office of RCRA Waste Management Division

Enclosure 1/

371.346.089

Ab. a.d

cc: Dale Bennington, Keystone Steel and Wire Company

Gary King, IEPA 🗸 Glenn Savage, IEPA Harry Chappel, IEPA U

bcc: Robert Small, (OS-520) Marc Radell, (ORC 5CS-TUB-3)

Jean Sharp, 5HR-13 Beverely Shorty, 5MF-14L George Hamper, 5HS-13

5HR-12:DBakk:nd:6-3781:1/23/90:PC#12.Kevstone

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

		v	9 0	R -	12
IN THE MATTER OF:)	DOCKET NO.			
KEYSTONE STEEL AND WIRE COMPANY 7000 S.W. ADAMS STREET)	COMPLAINT, FIR	IDINGS OF		
PEORIA, ILLINOIS 61641	į	VIOLATION AND			IR.
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	PREAMBLE			15,	
			REGIONAL	. Pikawa	CLERK

This Complaint is filed pursuant to Section 3008(a)(1) of the presentation AGENCY.

Conservation and Recovery Act of 1976, as amended (RCRA), 42 U.S.C.

§6928(a)(1), and the United States Environmental Protection Agency's

Consolidated Rules of Practice Governing the Administrative Assessment of

Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22.

The Complainant is the Associate Director, Office of RCRA, Waste Management

Division, Region V, United States Environmental Protection Agency (U.S. EPA).

The Respondent is Keystone Steel and Wire Company, located at 7000 S.W. Adams

Street, Peoria, Illinois 61641; Respondent's facility is also known as the

Bartonville Plant.

This Complaint is based on information obtained by the U.S. EPA, including a compliance inspection conducted by the Illinois Environmental Protection Agency (IEPA) on November 28, 1988. At the time of the inspection, violations of certain applicable Federal regulations were identified.

Pursuant to 42 U.S.C. §6928(a)(1), and based on the information cited above, it has been determined that Keystone Steel and Wire Company has violated Subtitle C of RCRA, Section 3004, 42 U.S.C. §6924; and Section 3005 of RCRA, 42 U.S.C. §6925.

JURISDICTION

Jurisdiction for this action is conferred upon U.S. EPA by Sections 2002(a)(1), 3006(b), and 3008 of RCRA, 42 U.S.C. §6912(a)(1), §6926(b), and §6928 respectively.

On May 17, 1981, the State of Illinois was granted Phase 1 Interim
Authorization by the Administrator of the U.S. EPA pursuant to Section
3006(b) of RCRA, 42 U.S.C. §6926(b), to administer a hazardous waste program
in lieu of the Federal program (47 Fed. Reg. 21,043). On January 30, 1986,
the State of Illinois received final authorization (51 Fed. Reg. 3778). As a
result, facilities in Illinois qualifying for interim status are regulated
under the Illinois provisions found at 35 Ill. Adm. Code Part 720 et seg.
rather than the Federal regulations set forth at 40 CFR Part 265, except for
those regulations whose authority is based on the Hazardous and Solid Waste
Amendments of 1984 (HSWA). Section 3008(a) of RCRA, 42 U.S.C. §6928(a),
provides the U.S. EPA with the authority to enforce State regulations in
those States authorized to administer a hazardous waste program. Notice to
the State pursuant to this section was provided on December 13, 1989.

FINDINGS OF VIOLATION

This determination of violation is based on the following:

1. Respondent, Keystone Steel and Wire Company, is a person defined by Section 1004(15) of RCRA, 42 U.S.C. §6903(15) and 35 <u>Ill. Adm. Code</u> 702.110, who owns and operates a facility at 7000 S.W. Adams Street, Peoria, Illinois that generates and stores hazardous waste. The Respondent is a Delaware

corporation on revoked status in the State of Illinois as of October 13, 1989, for failure to pay additional required franchise fee taxes.

Respondent's corporate headquarters is Keystone Consolidated Industries at 5430 LBJ Freeway, Dallas, Texas 75240. The president of Keystone

Consolidated Industries is Glenn R. Simmons.

- 2. Section 3010(a) of RCRA, 42 U.S.C. §6930(a), requires any person who generates or transports hazardous waste, or owns or operates a facility for the treatment, storage, or disposal of hazardous waste, to notify U.S. EPA of such activity within 90 days of the promulgation of regulations under Section 3001 of RCRA, 42 U.S.C. §6921. Section 3010(a) of RCRA, also provides that no hazardous waste subject to regulations may be transported, treated, stored, or disposed of unless the required notification has been given.
- 3. U.S. EPA first published regulations concerning the generation, transportation, treatment, storage or disposal of hazardous waste on May 19, 1980. These regulations are codified at 40 CFR Parts 260 et seq.

 Notification to U.S. EPA of hazardous waste activity was required in most instances no later than August 18, 1980.
- 4. Section 3005(a) of RCRA requires U.S. EPA to publish regulations requiring each person owning or operating a hazardous waste treatment, storage, or disposal facility to obtain a RCRA permit. Such regulations were published on May 19, 1980, and are codified at 40 CFR Parts 270 and 271 (formerly Parts 122 and 123). The regulations require that persons who treat, store, or dispose of hazardous waste submit Part A of the permit application in most instances no later than November 19, 1980.

- 5. Section 3005(e) of RCRA provides that an owner or operator of a facility shall be treated as having been issued a permit pending final administrative disposition on the permit application provided that: (1) the facility was in existence on November 19, 1980; (2) the requirements of Section 3010(a) of RCRA concerning notification of hazardous waste activity have been complied with; and (3) a timely Part A application for a permit has been made. This statutory authority to operate is known as interim status. U.S. EPA regulations implementing these provisions are found at 40 CFR Part 270.
- 6. On August 18, 1980, Respondent filed a notification of hazardous waste activity for this facility with U.S. EPA pursuant to Section 3010 of RCRA. On November 18, 1980, Respondent filed Part A of the permit application with the U.S. EPA pursuant to Section 3005 of RCRA, thereby achieving interim status to continue operation without a RCRA permit. Respondent's Part A permit application indicated that Respondent treated, stored or disposed of hazardous waste described by U.S. EPA hazardous waste number K061 (emission control dust/sludge from the primary production of steel in electric furnaces) in a waste pile.
- 7. On October 14, 1982, Respondent submitted a formal request to U.S. EPA that its Part A permit application be withdrawn. The KO61 hazardous waste was no longer being stored in a waste pile, but was being collected on a daily basis by Respondent's waste hauler and disposal contractor directly from the air pollution control equipment in which it accumulated. Respondent had concluded that it was only a generator of hazardous waste and did not require a RCRA permit.

- 8. On February 15, 1983, U.S. EPA acknowledged and approved Respondent's request to withdraw its November 18, 1980, Part A permit application based upon the information submitted by Respondent. Pursuant to 3005(e)(2), Respondent's interim status for operation of any waste pile terminated on November 8, 1985.
- 9. Sections 3004(g)(5) and 3004(m) of RCRA provide for the prohibition of the land disposal of hazardous waste specified in a published schedule except for methods of land disposal which the Administrator determines will be protective of human health and the environment for as long as the waste remains hazardous or for hazardous waste treated to a level that minimizes threats to human health and the environment. Section 3004(j) of RCRA prohibits the storage of such waste unless such storage is solely for purposes of accumulating such quantities of the waste as are necessary to facilitate proper recovery, treatment, or disposal.
- 10. The prohibitions on the land disposal of hazardous waste promulgated under 40 CFR Part 268 for F001-F005 spent solvents became effective on November 8, 1986; for "California List" hazardous waste on July 8, 1987; and for "First Third" listed hazardous wastes on August 8, 1988.
- 11. Under 40 CFR Part 268.33(a), the land disposal of First Third waste specified in 40 CFR 261.32 is prohibited unless applicable treatment standards are met. For K061, a "First Third" listed hazardous waste, an Administrative Stay for land ban restrictions was entered on August 26, 1988. This Administrative Stay was dissolved on February 22, 1989.

- 12. On November 28, 1988, IEPA conducted an inspection of the Respondent's Peoria facility and observed K061 hazardous waste being stored in a waste pile. The IEPA inspector was informed by Respondent that the last shipment of K061 hazardous waste from this facility was on August 19, 1988.

 Respondent has not submitted a notification of hazardous waste management activity or Part A permit application for the waste pile to IEPA. Except for three shipments of K061 hazardous waste to Continental Cement Company in Hannibal, Missouri, the facility was accumulating waste emission control dust from the primary production of steel in electric furnaces (K061) in an onsite waste pile, since August 19, 1988. The waste pile is a new hazardous waste management unit, owned and operated by Respondent without a RCRA permit or interim status.
- 13. Land disposal of K061 waste after February 22, 1989, that exceeds applicable treatment standard is prohibited under 40 CFR 268.33. Storage of such waste except for the purpose of accumulating such quantity as necessary to facilitate proper recovery, treatment, or disposal is prohibited under 40 CFR 268.50. Respondent therefore has violated 40 CFR 268.33 and 268.50 on each day from February 22, 1989, to the present during which Respondent placed and/or stored K061 on its waste pile.
- 14. Based on Findings 7, 8, and 12 Respondent has also stored hazardous waste in an unauthorized waste pile without a permit or interim status in violation of 35 <u>Ill</u>. <u>Adm</u>. <u>Code</u> 703.151 (40 CFR 270.10(a)-(f)).
- 15. Respondent's waste pile was not constructed to meet the design requirements for liners and leachate collection systems as required by 35 Ill. Adm. Code 724.351 (40 CFR 264.251).

16. On December 6, 1989, Respondent submitted a closure plan for the KO61 waste pile to IEPA.

COMPLIANCE ORDER

Respondent having been initially determined to be in violation of the above cited rules and regulations, the following Compliance Order pursuant to Section 3008 of RCRA, 42 U.S.C. §6928, is entered:

- A. Respondent shall, immediately upon this Order becoming final, cease the placement, storage, and disposal of KO61 waste in a waste pile.
- B. Respondent shall, no later than 30 days from this Order becoming final, excavate and remove for proper disposal or treatment, all K061 waste which was stored in its waste pile.
- C. Respondent shall implement the closure plan when approved by IEPA according to the schedule contained therein.
- D. Respondent shall notify U.S. EPA in writing upon achieving compliance with each requirements of paragraphs A, B, and C of this Order. This notification shall be submitted no later than the time stipulated above to the U.S. EPA, Region V, Waste Management Division, 230 South Dearborn Street, Chicago, Illinois, 60604. Attention: Daniel Bakk, RCRA Enforcement Branch, 5HR-12.

A copy of these documents and all correspondence with U.S. EPA regarding this Order shall also be submitted to Mr. Gary King, Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois 62706.

Notwithstanding any other provisions of this Order, and enforcement action

may be brought pursuant to Section 7003 of RCRA or other statutory authority where the handling, storage, treatment, transportation, or disposal of solid or hazardous waste at this facility may present an imminent and substantial endangement to human health or the environment.

PROPOSED CIVIL PENALTY

In view of the above determination and in consideration of the seriousness of the violations cited herein, the potential harm to human health and the environment, the continuing nature of the violations, and the ability of the Respondent to pay penalties, the Complainant proposes to assess a civil penalty in the amount of FIFTY-FOUR THOUSAND FIVE HUNDRED DOLLARS (\$54,500) against the Respondent, Keystone Steel and Wire Company, pursuant to Sections 3008(c) and 3008(g) of RCRA, 42 U.S.C. §6928. Attachment 1 of the Complaint provides a detailed summary of the proposed civil penalty. Payment shall be made by certified or cashier's check payable to the Treasurer of the United States of America and shall be mailed to U.S. EPA, Region V, P.O. Box 70753, Chicago, Illinois 60673. Copies of the transmittal of the payment should be sent to both the Regional Hearing Clerk, Planning and Management Division (5MF-14), and the Solid Waste and Emergency Response Branch Secretary, Office of Regional Counsel (5CS-TUB-3), U.S. EPA, 230 South Dearborn Street, Chicago, Illinois 60604.

Failure to comply with any requirements of the Order shall subject the abovenamed Respondent to liability for a civil penalty of up to TWENTY-FIVE THOUSAND DOLLARS (\$25,000) for each day of continued noncompliance with the deadlines contained in this Order. U.S. EPA is authorized to assess such penalties pursuant to RCRA Section 3008(c).

NOTICE OF OPPORTUNITY FOR HEARING

The above-named Respondent has the right to request a hearing to contest any material, factual allegation set forth in the Complaint and Compliance Order or the appropriateness of any proposed compliance schedule or penalty.

Unless Respondent has filed an answer not later than thirty (30) days from the date this Complaint is served, Respondent may be found in default of the above Complaint and Compliance Order.

To avoid a finding of default by the Regional Administrator you must file a written answer to this Complaint with the Regional Hearing Clerk, Planning and Management Division, U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, within thirty (30) days of receipt of this notice. A copy of your answer and any subsequent documents filed in this action should be sent to Marc Radell, Assistant Regional Counsel (5CS-TUB-3), at the same address. Failure to answer within thirty days of receipt of this Complaint may result in a finding by the Regional Administrator that the entire amount of penalty sought in the Complaint is due and payable and subject to the interest and penalty provisions contained in the Federal Claims Collection Act of 1966, 31 U.S.C. §§3701 et seq.

Respondent's answer should clearly and directly admit, deny, or explain each of the factual allegations of which Respondent has knowledge. Said answer should contain: (1) a definite statement of the facts which constitute the grounds of defense; and (2) a concise statement of the facts which Respondent intends to place at issue in the hearing. The denial of any material fact,

or the raising of any affirmative defense, shall be construed as a request for a hearing.

The Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22, are applicable to this administrative action.

SETTLEMENT CONFERENCE

Whether or not Respondent requests a hearing, Respondent may confer informally with U.S. EPA concerning: (1) whether the alleged violations in fact occurred as set forth above; (2) the appropriateness of the compliance schedule; and (3) the appropriateness of any proposed penalty in relation to the size of Respondent's business, the gravity of the violations, and the effect of the proposed penalty on Respondent's ability to continue in business. Respondent may request an informal settlement conference at any time by contacting this office. Any such request, however, will not affect either the thirty-day time limit for responding to this Complaint or the thirty-day time limit for requesting a formal hearing on the violations alleged herein.

U.S. EPA encourages all parties to pursue the possibilities of settlement through informal conferences. A request for an informal conference should be made in writing to Daniel Bakk, RCRA Enforcement Branch (5HR-12), U.S. Environmental Protection Agency, at the address cited above, or by calling him at (312) 886-3781.

Dated this_	day	of	 	1990.

David A. Ullrigh

Associate Director, Office of RCRA

Waste Management Division

Complainant

U.S. Environmental Protection Agency

Region V

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing Complaint to be served upon the persons designated below, on the date below, by causing said copies to be deposited in the U.S. Mail, First Class and certified-return receipt requested, postage prepaid, at Chicago, Illinois, in envelopes addressed to:

Glenn R. Simmons, President Keystone Consolidated Industries 5430 LBJ Freeway Suite 7000 Dallas Texas 75240 Dale Bennington, Manager Energy and Environmental Engineering Keystone Steel and Wire Company 7000 S.W. Adams Street Peoria, Illinois 61641

These are said persons' last addresses known to the subscriber.

I have further caused the original of the Complaint and this Certificate of Service to be served in the Office of the Regional Hearing Clerk (5MF-14) located in the Planning and Management Division, U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, on the date below.

Dated this	 February, 1990.	,
	Or m Share	_
	Jean Sharp, Office of RCRA U.S. EPA, Region V	-

ATTACHMENT I PENALITY SUMMARY

Regulation or Statute Applicable at Time of Violation	Nature of Requirement and Date of Violation	Penalty Assessed
Section 3004(g)(5) and (m); 40 CFR 268.33 and Section 3004(j); 40 CFR 268.50	Placement and storage of Land Disposal restricted waste (K061) in a waste pile. (February 22, 1989 to present)	\$22,500
35 IAC 724.351 (40 CFR 264.251)	Constructing a new waste pile without the required liner and leachate collection system. (August 19, 1988 to present)	9,500
35 IAC 703.151 (40 CFR 270.10(a)-(f))	Operating a waste pile without a permit or interim status. (August 19, 1988 to present)	22,500
	Total	\$ 54,500



January 8, 1990

Mr. Kenn Liss Illinois Environmental Protection Agency 2200 Churchill Road Springfield, Illinois 62706

Re: Status of Keystone Steel & Wire Co., ground water assessment

studies.

143005 0001 / Peoria County ILD 00714881

Dear Mr. Liss:

Subpart F

As I mentioned to you the other day during our phone conversation, we are still installing monitoring wells at the Keystone site and anticipate completion of this phase of work by the end of January, 1990. The month of December was not a very good month for drilling test borings and installing wells, as extreme cold weather (below zero), wind chill and occasional heavy snows greatly reduced the efficiency of field studies. This has put us a little behind where I would like to be at this time.

Preliminarily, the data we are obtaining, including field GC screening and other analytical testing, appear to be adequate for identifying the vertical and horizontal extent of contamination. We have completed 19 new monitoring wells at 12 locations.

The original proposed locations for well clusters and single wells has been modified as a result of the information being generated during these studies. Location T-13 was moved south to near the middle of the Wire Mill complex, and location T-8 was moved south about 500 feet because of access problems. A new location (T-16) was added about halfway between locations T-1 and T-12 to further evaluate unexpected contaminants found in that area. The proposed well clusters T-11 and T-14 will not be completed, at least at this time, since it appears that the plume has been identified by other well clusters.

RECEIVED

JAN 1 1 1990

IEPA-DLPC

K. Liss January 8, 1990 Page 2

I will keep you informed regarding our progress and I will notify you in advance of our schedule for the first round of sampling of all new and existing wells for the full list of parameters. Please contact me if you have any questions.

Sincerely,

Robert E. Aten

cc: A. Tin

L. Phillips

D. Bennington

A. Running



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5

230 SOUTH DEARBORN ST. CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF: 5HR-13

13 DEC 1989

William Child, Manager Division of Land Pollution Control Illinois Environmental Protection Agency 2200 Churchill Road Springfield, Illinois 62706

Re: RCRA 3008(a) Notice

Keystone Steel and Wire Company

ILD 000 714 881

Dear Mr. Child:

In response to your June 29, 1989, Resource Conservation and Recovery Act (RCRA) enforcement referral for violations at the Keystone Steel and Wire Company facility in Peoria, Illinois, and pursuant to Section 3008(a) of the Resource Conservation and Recovery Act (RCRA), as amended, I am providing notice to you that the United States Environmental Protection Agency (U.S. EPA) is preparing to issue an Order under Section 3008(a)(1) to the subject facility for violations relating to the land disposal of K061 after February 22, 1989.

If you have any questions on this matter, please contact Mr. Daniel Bakk of my staff at (312) 886-3781.

Sincerely yours.

David A. Ullrich

Associate Director, Office of RCRA

Waste Management Division

cc: Gary King, IEPA



Illinois Environmental Protection Agency P.O. Box 19276, Springfield, IL 62794-9276

217/782-6761

Refer to: 1430050001 -- Peoria County

Keystone Steel and Wire Company

ILD000714881 Compliance File

PRE-ENFORCEMENT CONFERENCE LETTER

Certified # *P115* ヌ35 *४७*₽

October 17, 1989

Keystone Steel and Wire Company Attn: Dale Bennington 7000 South Adams Bartonville, Illinois 61641

Dear Mr. Bennington:

The Agency has previously informed Keystone Steel and Wire Company of apparent violations of the Illinois Environmental Protection Act and/or rules and regulations adopted thereunder. These apparent violations are set forth in Attachment A of this letter.

As a result of these apparent violations, it is our intent to refer this matter to the Agency's legal staff for the preparation of a formal enforcement case. The Agency's legal staff will, in turn, refer this matter to the Office of Attorney General or to the United States Environmental Protection Agency for the filing of a formal complaint.

Prior to taking such action, however, you are requested to attend a Pre-Enforcement Conference to be held at the Peoria Regional Office, 5415 North University, Peoria, Illinois. The purpose of this Conference will be:

- 1. To discuss the validity of the apparent violations noted by Agency staff, and
- To arrive at a program to eliminate existing and/or future violations.

You should, therefore, bring such personnel and records to the conference as will enable a complete discussion of the above items. We have scheduled the Conference for November 7, 1989, at 1:30 p.m. If this arrangement is inconvenient, please contact John Tripses at 309/693-5462 to arrange for an 309/693-5463 general phone alternative date and time.



Page 2

In addition, please be advised that this letter constitutes the notice required by Section 31(d) of the Illinois Environmental Protection Act prior to the filing of a formal complaint. The cited Section of the Illinois Environmental Protection Act requires the Agency to inform you of the charges which are to be alleged and offer you the opportunity to meet with appropriate officials within thirty days of this notice date in an effort to resolve such conflict which could lead to the filing of formal action.

Sincerely,

Harry A. Chappel, P.E., Manager

Compliance Section

Division of Land Pollution Control

HAC:CLN:GS:kja:3567k/82-83

Attachment

cc: Division File
Peoria Region
Geordie Smith
John Tripses
Hortense Haynes
USEPA Region 5



ATTACHMENT A

- 1. Pursuant to 35 Ill. Adm. Code 725.174(a), all records, including plans, required under this Part must be furnished upon request and made available at all reasonable times for inspection by any officer, employee or representative of the Agency who is duly designated by the Director. You are in apparent violation of 35 Ill. Adm. Code 725.174(a) for the following reason: The waste analysis plan, inspection records, and training records were not available for inspection.
- 2. Pursuant to 35 Ill. Adm. Code 725.351, the owner or operator of a pile containing hazardous waste which could be subject to dispersal by wind must cover or otherwise manage the pile so that wind dispersal is controlled. You are in apparent violation of 35 Ill. Adm. Code 725.351 for the following reason(s): The waste pile of arc dust (KO61) was not protected from wind dispersion.
- 3. Pursuant to 35 Ill. Adm. Code 725.353(a), if leachate or runoff from a pile is a hazardous waste, then either:
 - 1. The pile must be placed on an impermeable base that is compatible with the waste under the conditions of treatment or storage;
 - 2. The owner or operator must design, construct, operate and maintain a run-on control system capable of preventing flow onto the active portion of the pile during peak discharge from at least a 25-year storm;
 - 3. The owner or operator must design, construct, operate and maintain a run-off management system to collect and control at least the water volume resulting from a 24-hour, 25-year storm; and
 - 4. Collection and holding facilities (e.g., tanks or basins) associated with run-on and run-off control systems must be emptied or otherwise managed expeditiously to maintain design capacity of the system.

You are in apparent violation of 35 Ill. Adm. Code 725.353(a) for the following reason(s): The waste pile of arc dust (K061) is not on an impermeable base and there is no run-on control system or runoff control system, which are required, because leachate and runoff from the waste pile of arc dust (K061) is a hazardous waste.

- 4. Pursuant to 35 Ill. Adm. Code 725.353(b), if leachate or runoff from a pile is a hazardous waste, then either:
 - The pile must be protected from precipitation and run-on by some other means; and
 - 2. No liquids or wastes containing free liquids may be placed in the pile.



Page 2

Board Note: If collected leachate or runoff is discharged through a point source to waters of the United States, it is subject to the requirements of Section 12 of the Illinois Environmental Protection Act, as amended.

You are in apparent violation of 35 Ill. Adm. Code 725.353(b) for the following reason(s): The waste pile of arc dust (KO61) is not protected from precipitation and run-on by some means other than that required by Section 725.353(a); this is required because leachate and runoff from the waste pile of arc dust (KO61) is a hazardous waste.

Pursuant to 35 Ill. Adm. Code 725.354, the owner or operator of a waste pile is subject to the requirements for liners and leachate collection systems or equivalent protection provided in 35 Ill. Adm. Code 724.351, with respect to each new unit, replacement of an existing unit, or lateral expansion of an existing unit that is within the area identified in the Part A permit application, and with respect to waste received beginning May 8, 1985. Specifically, the requirements of 35 Ill. Adm. Code 724.351 (listed by regulation) which were not met, as well as the deficiencies observed, are: The waste pile of arc dust (KO61) does not have the liner and leachate collection system that meets the requirements of Section 724.351.

GS:kja:3567k/84-85

Jan, Here are my preliminary comments/questions.
Call me when your ready to discurs.

Marc
6-7948 Palell notes 1/6/89 Leystone It PA referral 6/26/89 3PM 9/11/89 two issues. O submittel of closure plan @ inclusion of are dust jule 1 submittal of RI may may not constitute good faith effort to get approved clouve plan, depends on incumstances. - why is Keiptone doing R1? pursuant to permit? order

from 1EPA? is R1 for entire facility? does it

ever impoundments? is info from R1 necessary

to prepare closure plan? does order/permit regarding

R1 refer to Closure activities? does Teystone claim submittal of RI is good faith effort to obtain closure plan approval or that KI data is "necessary for closure? - what about 8/17/88 meeting? did IEPA staffague submission of closure plan should be portposed until scope i severity of VOC contamination is determined?? is this why Leystone is doing X1?! au dust pile - is this a listed waste? what are exact violations alleged? refusal lists regulations, but does not say how Huptone may have violated them; each alleged violation must be set out and backed up by an inspection report, etc. are are dest jiles included in sione of RI? what does I'm think? has Neystone demonstrated dust is referred recycled: not a solid waste? has he talked to HQ about variance? what does HQ ray?

1430050001 / Peoria
Borton withe - Kepstone
Sted
TWO 000714781 Two

EDI Engineering & Science

Environmental Engineering, Geology, Biology and Chemistry

lette

August 30,1989

Mr. Ken Lifss State of Illinois EPA DLPC No.24 2200 Churchill Road Springfield, Illinois 62794-9276

RECEIVED

AUG 3 1 1980

IEPA-DLPC

RE: Keystone Steel Project, Analytical Testing Services

Dear Mr.Lifss:

Dr. Robert Aten of Geosciences Research Associates (GRA) has asked that we participate in the investigation of the Keystone Steel Project by providing analytical testing services. We have provided methods and cost information to Dr. Aten for the program required testing. He asked that we contact you and identify any informational requirements that you may want of our laboratory prior to project commencement.

You requested a Statement of Qualifications for our laboratory. The Statement of Qualifications is attached, for your review. It contains condensed information about our equipment, methods, facilities, staff, certifications, QA/QC program and client services. A copy of the QA/QC manual is combined with the Statement of Qualifications.

We have conducted many testing programs similar to the program requirements for the Keystone Steel project. Several recent projects included writing and conducting the analytical testing for two different RI/FS QAPP's. One program that is on going in Grand Rapids, Michigan is for Chem Central. This program involves the analysis of soil and ground water samples for various metals, cyanide, volatile and semivolatiles by SW-846 methods. Complete data validation and compliance

reporting is required. The second program was for U.S. Aviex Corp. in Niles, Michigan. This program included the operation of an on-site laboratory for volatile organic analysis as well as the analysis of soil and water samples at the corporate laboratory for full QAPP compliance testing.

We are currently pursuing the State of Illinois drinking water program certification as an indication of our intent to provide quality services that are subject to review by the State of Illinois.

If you have any questions, or require any further information please let me know.

Respectfully Submitted

Jack Dullaghan

Vice President Analytical Services

Tock Dullaghe

October 18, 1989

Division File

Angela Tin and Kenn Liss

1430500001-PEORIA

KEYSTONE STEEL AND WIRE

ILD000714881

A meeting was held on September 6, 1989 between the Agency and Keystone.

Attendance:

<u>IEPA</u> <u>Keystone representatives</u>

Hortense Haynes Dale Bennington

Kenn Liss Andy Running

Charlie Zeal Bob Aten

Angela Tin Les Phillips

Ralph End

Bob Miller

Elton Breland

Items discussed:

- 1. Arc dust waste pile. The facility stated that Peoria Disposal(PDC) agreed to remove the pile and that there was a problem with the August 1 date for proposal to have the entire pile removed. PDC was already moving 2-3 truck loads a day. Keystone believes that according to the new schedule, the pile would be removed by February 1990. Keystone stated that the pile was on a liner and had a compacted earthen berm. There was no evidence of run-off from the pile, and lime is added to stabilize the arc-dust. Keystone agreed to have a closure plan for the waste pile submitted to the Agency within 90 days of the date of the meeting (December 7, 1989).
- 2. Groundwater monitoring for the surface impoundments.

 Keystone agreed to submit a response to the comments made by the Agency for the groundwater monitoring program. They also agreed to determine the rate and extent of contamination by continuing to do the quarterly monitoring program. The Agency stated that a closure plan, which contained the groundwater monitoring program, for closure of the impoundments could be submitted in a phased approach, since Keystone was not sure of the extent of contamination or background levels at the site. Additionally, items such as wells and parameters could be discussed in the plan. Keystone agreed to include the closure of the surface impoundments in the above waste pile closure.

cc: John Tripses, FOS Peoria

Hortense Haynes, ENF

Charlie Zeal

Kenn Liss

Angela Tin

GEOSCIENCES RESEARCH ASSOCIATES, INC.

geological, hydrological, geotechnical and environmental consulting

627 N. Morton Street Bloomington, Indiana 47404

812-336-0972

Robert E. Aten, Ph.D.
Senior Geologist

James H. Keith, Ph.D. Senior Ecologist

John L. Bassett Geologist - Hydrologist

Richard L. Powell, Ph.D. Senior Geologist

August 29, 1989

RECEIVED

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Mr. Kenn Liss Illinois Environmental Protection Agency Post Office Box 19276 Springfield, Illinois 62794-9276 AUG 3 1 1989

IEPA-DLPC

SUSEPA I

Re: Keystone Steel & Wire Company, IEPA Compliance letter dated August 17, 1989

Dear Mr. Liss:

The purpose of this letter is to document our phone conversation of August 23, 1989 regarding certain items in the above referenced letter. Although the IEPA letter stated that the ground water assessment plan was approved, there were four major items discussed later in the letter that were in conflict with the assessment plan.

Monitoring wells are to be installed to delineate the extent and source of contamination. It is anticipated that once the extent of contamination is determined, additional wells may be necessary to aid in the evaluation of the rate of migration. For the assessment plan, we proposed stainless steel 304 screens and a five foot stainless steel riser above the screen with the remaining riser constructed of PVC. The IEPA letter referenced an agency diagram that specifies stainless steel 316 screen and riser to nearly the surface. You stated that the construction materials proposed in our plan were adequate for this investigation and that the Agency diagram should be used only for the specifications for thickness of filter pack above screens, thickness of bentonite seal, and grout, concrete cap, and protective cover requirements. You also stated that we did not need the stainless steel blank below the screen.

The sampling frequency discussed on page 2 of the IEPA letter is different than that proposed in the assessment plan. Your letter calls for sampling all existing wells for the Table 2 parameters within 30 days and quarterly thereafter. These wells were sampled for inorganics and the volatile and semi-volatile organics in February 1988 and again for volatiles and the significant inorganics in May 1988. The volatile organic contaminants were identified and confirmed during these sampling events. The only semi-volatile organics detected were at very low concentrations and most likely related to laboratory problems, as is indicated by the fact that they were also detected in laboratory blanks. Furthermore, the wells around the Retention Reservoir (i.e. wells 5, 5D, 6, 7, 12, 13 and 14) have shown no contamination and are located about 2000 feet south of the area where contaminants are known to exist. These wells do not need to be sampled for

K. Liss August 29, 1989 Page 2

this study. Sampling the wells east of Mid Mill where contaminants have been detected, will only confirm again their presence and will provide no useful data for determining rate and direction of contaminant migration or with regards to possible source area. This is why the new wells have been proposed. Therefore, detailed sampling prior to the installation of the new wells imposes a great expense for redundant information that serves no purpose in resolving the contaminant issues.

The soil screening techniques described in the assessment plan are for the purpose of 1) identifying soil samples to be sent to the lab for full analysis, 2) rapid detection of TCE in various aquifer units to help in identifying the depth of well placement and to aid in determining the proper drilling procedures and 3) identifying the level of TCE contamination for personnel safety. The screening is not intended to be highly quantitative. It is to be used as a tool for making rapid field decisions. Because TCE is the dominant compound detected, it was selected as the screening parameter. Adding parameters only increases the turnaround time and defeats the purpose of screening.

The final major item we discussed was regarding laboratory permeability determination according to the procedures in the Agency memorandum. I question the necessity for maintaining a hydraulic gradient below 20, especially for low permeable materials (i.e. 10^{-6} to 10^{-9}) since it will most likely require months rather than weeks to perform a single permeability analysis. Daniel and Liljestrand, 1984, in their report on Effects of Landfill Leachates on Natural Liner Systems state on page 32 "The gradient was selected on the basis of previous tests which we have conducted for the U.S. EPA and others which indicate no significant effect of hydraulic gradients as long as the gradient is less than 200 to 300." You said that you have in house reports that state otherwise and that you would provide me with a reference to the documents. I would like to review those documents and plan to do so as soon as you get me the reference.

Please contact me, if your recollection of our phone call is different. I hope we will be able to resolve the remaining issues at our meeting on September 6.

Sincerely,

Robert E. Aten

cc: A. Tin

H. Haynes

A. Running

L. Phillips

J. Polich

D. Bennington



217/782-6761

Refer to: 1430050001--Peoria County

Bartonville/Keystone Steel and Mire Company

ILD000714881 Compliance

August 17, 1989

Keystone Steel and Wire Company ATTM: Mr. Dale Bennington 7000 South Adams Bartonville. IL 61641

Dear Mr. Bennington:

This letter addresses the issue of Keystone's non-compliance with the requirements of 35 III. Adm. Code Part 725. Subparts F and G at it's Bartonville facility.

It is apparent after reviewing the June 21, 1989 letter from GRA, Inc. (Keystone's consultant) that the facility is attempting to resolve the outstanding groundwater violation by linking that issue to the Company's October 3, 1988 Remedial Investigation (RI) Proposal. As explained in the Agency's June 14,1989 letter and May 8, 1989 Compliance Inquiry Letter (CIL), Reystone is in violation of Section 725.194(b)(2) of RCRA for failing to determine the rate and extent of the groundwater contamination and reporting that information to the Agency. The violation remains outstanding and has been referred to the USEPA for enforcement action.

Since Keystone is an operating RCRA facility, an investigation of the site must follow USEPA guidance for conducting a RCRA Facility Assessment and RCRA Facility Investigation. Remedial Investigations are unique to Superfund activities which are not relevant to the Keystone site. Therefore, the Agency has appropriately reviewed the RI as a groundwater quality assessment program in accordance with the requirements of 35 Ill. Adm. Code, Part 725, Subpart F and is limiting comments to the elements of an assessment plan as described in the subparagraphs of Section 725.193(d)(3) as follows:

725.193(d)(3) A)-The number, location, and depth of wells;

The locations of the existing and proposed wells indicated on Figure 3, Section A.A. of the groundwater assessment plan are approved. However the Agency does not approve of the sample screening techniques which solely limit well installation to the detection of trichloroethene (TCE).



Page 2

Previous groundwater sample results have verified the prevalence of TCE in the majority of the wells, but chlorinated ethanes are the dominant contaminants in K-2. Additionally, Section A.3 discusses field and lab sampling but does not provide information on the sensitivity and accuracy of the field instrument (GC), field calibration, or qualifications of the operator. The Agency is concerned that if a sampled horizon is determined clean by the proposed TCE screening method no further consideration will be given to that area thereafter. The Agency is requesting that Keystone implement the proposed screening technique giving consideration to the Agency's comments and include the chlorinated ethanes in the field screening process. Keystone should proceed with the understanding that as the program progresses, future data may indicate the need for additional work in these areas.

725.193(d)(3) B)-Sampling and analytical methods for those hazardous wastes or hazardous waste constituents in the facility;

The proposed parameter list, Table 2 of Section A.A., appears to be adequate. Sampling and lab procedures will be performed in accordance with SW846, 3rd Edition, 1986 as indicated in Section A.7. The sampling procedures discussed on page 1 of 1. Section A.4 does not include the order of sample collection. A preferred order based on sensitivity to volatilization must be followed (1.e. voletile, purgeable and extractable organics first; then metals, phenols, cyanide and other inorganic parameters).

Sample collection will be performed on a quarterly schedule to include all wells installed and properly developed. Once each well has been sampled twice consecutively for the Table 2 parameters. Keystone may propose a reduced parameter list for continued quarterly monitoring.

725.193(d)(3) C)-Evaluation procedures, including any previously gathered groundwater quality information used:

The assessment report must include any new or previously gathered data considered in the evaluation which is relevant to the quarterly determinations made by the facility.

725.193(d)(3) D)-A schedule of implementation.

The new monitoring wells will be installed, developed and sampled within 4 months of the date of this letter as originally indicated in Figure 4. Project Schedule, of Section A.A.. Boring logs, development details, construction diagrams and soil sample results will be submitted within 45 days of well completion. Monitoring wells will be installed and constructed in accordance with the enclosed Agency diagram and the description provided in Section B.5.2.3 which begins on page 7. of 12. In the event of a discrepancy, the Agency diagram will precede Keystone's plan.

The existing wells will be sampled for the Table 2 parameters within 30 days of the date of this letter. The sample results will be evaluated and a determination made in accordance with the requirements of 35 Ill. Adm. Code,





Page 3

Section 725.193(d)(7)(A). That determination shall include a groundwater contour map illustrating the horizontal and vertical gradients across the site and a proposal for continued monitoring and/or additional site investigations. Thereafter all work performed within the scope of the groundwater quality assessment program will be included in the quarterly assessment report.

All lab permeability testing must be performed in accordance with the procedures discussed in the enclosed Agency memorandum.

The Agency requests at least a one week notice prior to the commencement of drilling and sampling operations. That notification shall be made to myself or Kenneth Liss of my staff.

With respect to the closure and post-closure requirements of Subpart 6, the Agency is requesting that Keystone submit a closure/post-closure plan for the entire facility (including the KO61 waste pile) which meets the closure/post-closure performance standards of 35 Ill. Adm. Code, Section 725.211. The plan must be complete and include as attachments all references made therein. The enclosed document Instructions for the Preparation of Closure Plans for Interim Status RCRA Mazardous Waste Facilities, March 2, 1969, is provided for your reference. Any inquiries relative to the closure/post-closure plan shall be directed to Charlie A. Zeal of the Permit Section. The closure/post-closure plan must be submitted within 90 days of the date of this letter.

If you have any questions please contact Kenn Liss at (217)-782-6760.

Sincerely.

Cargoda alexander

Angela Aye Tin, Manager Technical Compliance Unit Compliance Section Division of Land Pollution Control

KL:0014a.1-3

Enclosures (3)

cc: Division File Peoria Region USEPA Region V. Seorge Hamper Permit Section, Charife A. Zeal John Richardson Hortence Haynes Kenn Liss



August 16, 1989

143050004

Keystone

Ms. Angela Aye Tin, Manager
Technical Compliance Unit, Compliance Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 hurchill Road
P. O. Box 19276
Springfield, IL 62794-9276

RECEIVED

AUG 17 1989

RE: COMPLIANCE INQUIRY LETTER OF 3/29/89 - ILD000714881 IEPA-DLPC

Dear Ms. Tin:

The purpose of this letter is to provide you with an update on the status of our stored (K061) arc dust, previously described in my letters of April 12 and July 14 to you.

After extensive testing and analysis of our dust, Peoria Dispsoal Company (PDC) has agreed to begin accepting our total daily production beginning August 7 in accordance with Item 1 of Purchase Order S23301* dated 8/07/1989. PDC has also agreed to remove all of the dust currently stored at Keystone beginning September 5. PDC is now increasing their treatment capabilities through expanded operations with additional equipment and material. They plan to remove the dust in storage using Peoria Disposal Response Company personnel and equipment.

The contract provides that PDC use their best efforts in removing, treating and disposing of the stored dust. The uncontrollable factors of weather, treatment conditions, equipment failure, etc. preclude a guaranteed completion date. However, PDC will use all efforts to complete the removal in as short a time period as possible by increasing receipt of material from Keystone when available.

I plan to keep you informed as to our progress in removing this stored dust. If you have any questions or need additional information, please contact me at (309) 697-7552.

Sincerely,

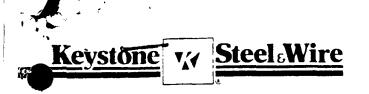
DALE L. BENNINGTON, P.E. MANAGER, ENERGY AND

ENVIRONMENTAL ENGINEERING

DLB:bmk Attachment

Cc: John Tripses - IEPA, Peoria Gene Matthews - PDC

* The price (\$/Ton) has been blanked out in the attached copy since it is a confidential agreement with Peoria Disposal Company



July 14, 1989

Ms. Angela Aye Tin, Manager
Technical Compliance Unit
Compliance Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
P. O. Box 19276
Springfield, IL 62794-9276

Dear Ms. Tin:

RE: Compliance Inquiry Letter of 3/29/89 - ILD000714881

The purpose of this letter is to provide you with an update on the status of our K061 Arc Dust storage pile previously described in my April 12, 1988 letter to you. Peoria Disposal Company continues to be able to accept some dust for treatment, accepting approximately 600 tons in June. While we do not yet have a firm solution to our storage/treatment problems, we anticipate resolution within the next several months. Below is a detailed discussion of those alternatives being investigated:

1. <u>USEPA Regulatory Relief</u> - It may be possible to ultimately obtain some sort of relaxation in the USEPA treatment standards or an individual plant specific variance on treatability. To pursue this, a meeting was held in Washington, D.C. on June 29 with Keystone, Peoria Disposal Company and the USEPA.

Attached is a copy of PDC's letter to me dated July 5 which gives a detailed report on this meeting. The report describes in detail the substantial problems that PDC has been encountering in treatment of our dust. If we are successful in obtaining a USEPA variance, it would also be necessary to obtain Illinois EPA approval before landfilling. Either a variance or treatment standard relaxation would allow PDC to greatly increase their throughput. They could then process the waste pile within a short time frame. Attempts are being made to contact the USEPA to determine if this is a practical alternative.

- 2. Out-of-State Disposal Alternatives Various disposal/recycle facilities are being reviewed to determine the feasibility of disposal of our dust at these sites:
 - A) Continental Cement Company A meeting was held in St. Louis on June 1 in an attempt to get CCC to accept further loads for recycling. Although negotiations continue, no material is currently being accepted by CCC at their Hannibal, Missouri facility.

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2. Continued

- B) Chemical Waste Management ~ On June 26, a meeting was held in Lake Charles, Louisiana with CWM officials. The inspection showed that it may be difficult for this facility to accommodate large quantities of our dust for treatment and disposal. Trial loads of dust are planned for shipment in July for full scale treatability tests.
- C) USPCI Meetings have been held with company representatives. Their bench scale analysis of a dust sample indicates that the dust is treatable. Trial loads of dust are planned for shipment to their Utah and/or Oklahoma facilities for full scale treatability tests.

3. On-Site Treatment & Off-Site Disposal

- A) Conversion Systems, Inc. Meetings have been held with CSI representatives. Within several weeks, CSI will present their proposal for an "on-site" treatment system. The treated dust would then be shipped to PDC for disposal.
- B) Peoria Disposal Company PDC has proposed an "on-site" temporary treatment system to treat the dust now stockpiled. This proposal is currently being evaluated.

As seen from this discussion, several alternatives to our storage pile problem may be feasible. I should know within the next several months which alternative is possible. I plan to keep you informed as to our progress in solving this very difficult problem. If you have any questions or need additional information, please contact me at (309) 697-7552.

Sincerely,

DALE L. BENNINGTON, P.E. MANAGER, ENERGY AND

ENVIRONMENTAL ENGINEERING

DLB:bmk Attachment

Cc: John Tripses - IEPA, Peoria



July 5, 1989

Mr. Dale L. Bennington, P.E.
Manager, Energy and Environmental Engineering
KEYSTONE STEEL & WIRE COMPANY
7000 S.W. Adams Street
Peoria, IL 61641

Dear Dale:

As promised, I am sending you a report on the trip taken on June 29, 1989 to meet with Mr. Larry Rosengrant and Ms. Monica McEaddy of the USEPA concerning treatability of Keystone Steel & Wire Company's electric arc furnace dust.

I trust the enclosed report is complete and sufficient for your purposes. If any questions remain, please do not hesitate to contact me.

Sincerely,

Ronald G. Alderfer, Ph.D.

Vice President & General Manager

RGA/cfg

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TRIP REPORT

To: US EPA, 401 M Street, S.W., Washington, DC 20460

On: June 29, 1989

By: Dale Bennington, KSW, Telephone 697-7552

John LaPayne, PDC Labs, 676-4893

Ron Alderfer, PDC Technical Services, 688-0760

Purpose: To meet with Larry Rosengrant and Monica McEaddy,

telephone 202/382-7917

Attached to this report is a copy of the "Discussion Guide" prepared by PDC Technical Services for the meeting.

Following introductions, Mr. Bennington gave a brief summary of the types of materials used to make steel at the KSW plant, the general nature of the furnaces used, and a description of the dust collection and handling system in the plant. Mr. LaPayne described how the twelve samples of untreated material were obtained from the plant and how they were analyzed in the laboratory. Dr. Alderfer summarized the operation of PDC's stabilization facility.

Following this background information, Mr. LaPayne presented the results of the analysis of untreated arc dust. A summary of this data is that while the concentration of regulated metals in the dust is not radically different from the profile of arc dust prepared for EPA's development document, individual constituents were found to be extremely variable among the twelve samples. Standard deviations varied from 0 to 250% of mean values in regulated constituents. An important nonregulated metal, zinc, has a standard deviation equal to approximately 80% of the mean value of the twelve samples. Finally, extractable calcium has a standard deviation of over 60% of the mean value.

The next subject discussed was treatability results obtained by PDC with the reagent formulation currently in use. Data were presented which indicated a high degree of success in bench-scale testing.

Consistency in field-scale treatment, however, is the real problem. As shown in the "Summary of Lead in TCLP-leachate from K061 after first-pass treatment", only 45% of the batches met the BDAT standard for lead on the first-pass treatment of KSW arc dust, whereas 72% met the standard on the first pass for another significant generator treated by PDC. A search for the chemical basis of this difference has been investigated with some leads but no firm answers.

reported the results of a comparison of backhoe mixing with nigh-shear mixer performance. The high-shear mixer was found to perform significantly less well on KSW material than the backhoe method. A related field of investigation was that of variability of samples within a batch. Again, as shown in the attachment entitled "Multiple Samples from a Batch", batches showing elevated lead levels yielded highly variable results on TCLP extraction.

PDC next reported on the study of the correlation between pH and success in meeting BDAT standards. Results indicate that samples obtained from similar material similarly treated showed a highly variable response to the addition of strong acid as specified in the TCLP procedure. Furthermore, pH response below 5 and above 10.5 correlated with high percentage of failure in meeting the BDAT standard.

In summary, the greatest difficulty encountered by PDC at the present time is the inconsistency of results obtained in samples taken from apparently uniform materials. This inconsistency suggest either that the extraction procedure is faulty or inappropriate or that the standard is set too low for this stabilization technology.

Rosengrant's response to the information received was as follows.

- 1. He greatly appreciates access to some of the hard, technical facts; as a regulator, he is severely limited by the lack of sufficient information of this type from field operations.
- 2. He suspects the presence of regulated substances in treatment reagents and that these, while typically low, may vary enough to cause problems. Alderfer asked if he had specific data on the point and he said only that past studies indicated occasional presence of lead, cadmium, and silver.
- 3. He feels that the twelve-hour curing period specified as a minimum by PDC may be too short. The limited data he has from another source was obtained after seventy-two hours of curing and he feels that for the technology involved, this curing period is much more likely to be successful in a consistent fashion.

With regard to the possible role that the TCLP extraction itself plays in this problem, he is certainly open to the possibility but is not yet convinced. Worst of all, he is aware of no practical alternative that may be better.

Next Actions

 Rosengrant firmly committed to review this problem with his superiors next week and suggested we call him back on July 10. RGA agreed to do this.

- 2. Rosengrant urged Keystone to prepare a treatability variance request as soon as possible. RGA agreed to assemble EPA requirements for filing this request and maintain contact with Dale Bennington on the subject.
- 3. PDC will proceed with analysis of reagents received for the presence of regulated metals and will also follow up with the QC program in place on behalf of its reagent vendor.

DISCUSSION GUIDE

Meeting Between Keystone Steel & Wire Co. and EPA

with PDC Technical Services, Inc.

June 29, 1989

- 1. Introductions
- Statement of Purpose To share information regarding K061 treatability, treatment results, sampling/analysis problems, and related matters and to discuss alternative means of solving these problems so that effective treatment can be continued.
- 3. Background Data
- 4. Treatability Data
- 5. Treatment Results
 - a. Focus on Lead
 - b. Multiple samples From a Batch
 - c. pH Dependence
- 6. TCLP
- 7. Recommendations and Next Actions

Chemical Evaluation of Electric Arc Furnace Dust from Keystone Steel and Wire's Bartonville, Illinois Works

I. Introduction

This document provides a compilation of data from the analysis of twelve arc dust samples from Keystone Steel and Wire Company's Bartonville, IL facility. The purpose of the study was to determine characteristics of the arc dust which may influence the success of chemical stabilization of the dust.

An additional benefit of the study is the evaluation of the arc dust relative to the "high" and "low" Zinc categories. Also, the analysis of these samples provides us with initial information on the normal variations in the composition of the arc dust.

II. Data

Data from the analysis of the twelve grab samples are provided in the following table. The samples represent two samples collected from active generation on January 26, 1989 (Sample Nos. 901419-901420) and the other ten from the stock-piled arc dust also collected on January 26, 1989.

All analyses were performed on the waste as received. Units of measure for the tables are: Total - mg/kg, TCLP - mg/l. The sieve analysis represents percent passing the specified sieve. A 40 mesh sieve has an opening of 0.0165 inches or 425 micrometers. A 100 mesh sieve has an opening of 0.0059 inches or 150 micrometers. Units of measure for bulk density are lbs/yd³. Percent solids were performed at 103 to 105° and percent volatile solids at 550°C.

III. Mass Balances

The purpose of the mass balances was to compare and validate the metals results in relation to the percent solids determined gravimetrically. The listing of the elements of interest and their mineral forms are given below. The assumptions as to the mineral forms are based upon conditions of some weathering exposure. The possible formation of mixed oxides of iron, manganese, lead, nickel, chromium and cadmium with the alkali metals is unlikely under the presumed conditions.

Element	Mineral Form	Name		
Fe	Fe ₃ 0 ₄	Magnetite		
Zn	ZnO	Zincite		
Ca	CaCO ₃	Calcite		
Pb	Pb0	Litharge or Massicot		
Mn	Mn ₂ 0 ₃	Bixbyite		
Mg	$(MgCO_3)_3Mg(OH)_2$ 3H _{2O}	Hydromagnesite		
Ni	NiO	Bunsenite		
Cr	Cr ₂ O ₃	Eskolaite		
Na	Na ₂ CO ₃	Soda Ash		
K	K ₂ CO ₃	Potash		
Cd	CdO	Monteponite		
Si	Si0 ₂	Quartz or Cristobalite		

IV. Microscopic Exam

For the purpose of further verification and evaluation, a sample of arc dust was examined by polarized light microscopy to determine mineral composition. Sample #901430 was submitted and the following report was provided:

Quartz, SiO ₂		1 to 5%
Magnetite, Fe ₃ 0 ₄ ~		80% (major component)
Hematite, Fe ₂ O ₃ x H ₂ O -		trace
Limonite, HFeO ₂		trace
Goethite, FeO(OH) x H ₂ O	-	trace

The mineral forms of the other elements present were not observable by this examination.

v. Discussion

Review of the data shows overall uniformity. The variations noticed are difficult to correlate with changes in the leachability of lead and cadmium. The major constituent metals levels tended to be somewhat lower than those presented in the BDAT development document for KO61 (summary table attached).

Major Constituent Composition in Percent

BDA?	[Keystone Steel and
K061 Development	Document Data	Wire Data
Fe	26	21
0	18	
Zn	16	15
H ₂ O	12	10
Cū	7	. 7.0
F	3	
Mn	3	2.2
Pb	2	1.2
Mg	2	3.9
Na, K	2	0.7
Si	2	0.5
Cl	2	2

It is evident from the tabular comparison above, that the Keystone arc dust composition is consistent and in good agreement with the EPA's pooled data.

The Keystone iron and silicon data we generated was also low compared to the microscopic exam of the dust. Our calculated percent solids mean (86.5%) is also three percent lower than our analyzed percent solids mean (89.7%). Both of these observations suggest some loss of analyte or recovery failure in the digestion of the arc dust. The dust is a difficult matrix in which to achieve total dissolution of all the elements present. This may explain the low bias.

The mean of the zinc levels were near the 15% levels. Four samples had a major upward influence on the zinc mean (Sample Nos. 901424, 901427, 901429 and 901430). We will redigest and reanalyze these samples to confirm their high zinc content. Excluding these four samples the mean zinc content is 86,125 mg/kg. Eliminating these four outliers and then factoring in a 10% low bias in our data, the zinc content of the arc dust would be well below 15%.

Several samples had low leachable levels of cadmium and lead as received. Samples numbers, 901426 through 901429 appear to demonstrate a relationship between larger particle size and lower

leachability. The larger particles may be a result of the higher moisture content. As indicated by lower percent total solids in our analyses. There is also slight evidence that soluble chloride and soluble sulfate are reducing lead leachability (Samples No. 901427 and 901429). This in contrast to reported links between high soluble chloride and sulfate and high lead leachability in the K061 BDAT development document.

We are unable to draw any firm conclusions or establish co-relations between arc dust composition and the success of treatment due to the high failure rate in our bench scale treatability studies. A number of sets of trial data are included for your review. Lead is the contaminant for which we are unable to meet BDAT treatment standards. Our successes appear to be random. We believe the successes may simply be the results of sample heterogeneity or nonrepresentative subsampling. We continue to perform bench studies that hopefully will result in formulas with a routine success rate. Then we may be able to established correlations between composition and treatment effectiveness.

We believe the treatment of lead is governed by two key factors:

- 1) The soluble iron is treatment reagent consumptive.
- 2) Lead solubility is very sensitive to the alkalinity of the treatment mixture.

The conditions of Toxicity Characteristic Leading Procedure (TCLP) support the formation of iron hydroxide-acetate complexes. The final pH of the extraction will determine the degree of cadmium and lead oxide formation. These oxides will be retained by the iron hydroxide-acetate filter cake.

These precipitation interactions are dependent upon the alkalinity of the find treatment mixture. We observe this by the pH final of the extraction. Our observations indicate that above a final extraction pH of 10 the solubility of cadmium is minimized. We observe an optimum pH for minimizing lead solubility at a pH of 8. Positive or negative deviations from these optimum pH's result in corresponding increases of metal solubility. These observations are similar to those noticed when optimizing metal precipitation in wastewater analysis. The difference between this and the wastewater situation is the consumptive nature of the iron and its impact on stabilization.

WEM 6/89

KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

Denver Office 1999 Broadway Denver, Colorado 80202 303 291-3000 200 East Randolph Drive Chicago, Illinois 60601 Telex 25-4361

312 861-2000

Washington Office 655 Fifteenth Street, N.W. Washington, D.C. 20005 202 879-5000

To Call Writer Direct 312 861- 2412

June 29, 1989

Marc M. Radell
Assistant Regional Counsel
U.S. Environmental
Protection Agency
Region V
230 South Dearborn Street
16th Floor
Chicago, Illinois 60604

U.S. Environmental
Protection Agency
Region V
Waste Management Division
RCRA Enforcement Branch,
5HS-12
230 South Dearborn Street
Chicago, Illinois 60604

Re: United States of America v. Keystone Consolidated Industries, U.S. District Court for the Central District of Illinois (86-1212) Consent Decree Dated June 29, 1988

Gentlemen:

I am writing to notify you on behalf of Keystone that pursuant to paragraph 12(b) of the Consent Decree the company is electing to defer payment of the second installment until 30 days after IEPA approval of a closure plan or until June 29, 1990, whichever is earlier. A copy of the Consent Decree is enclosed for your convenience.

Sincerely

ndrew R. Running

Anhand

ARR: pad Enclosure

OFFICE OF RCRA
Waste Management Division
U.S. EPA REGION V.

JUN 30 1989

FILED



JUN 29 1988

JOHN M. WATERS, Clerk
IN THE UNITED STATES DISTRICT COURT CENTRAL DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
Plaintiff,		
v.) Civil Action No.	86-1212
KEYSTONE CONSOLIDATED INDUSTRIES, INC.,) Judge Mihm)	-
Defendant.) }	
	j	

CONSENT DECREE

Plaintiff, the United States of America, on behalf of the United States Environmental Protection Agency ("United States"), and the defendant, Keystone Consolidated Industries, Inc., have jointly moved the Court for entry of this consent decree.

THEREFORE, it is ORDERED, ADJUDGED and DECREED as follows:

I. JURISDICTION

1. This Court has jurisdiction of the subject matter of this action and of the parties to this consent decree.

II. APPLICABILITY

2. This consent decree applies to and binds the parties hereto and their successors.

III. BACKGROUND

- 3. The United States filed the complaint in this action on July 18, 1986 alleging that defendant Keystone Consolidated Industries, Inc. ("Keystone") was violating the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, et seg. ("RCRA") at Keystone's plant in Peoria, Illinois known as the Bartonville Plant. The United states sought injunctive relief and civil penalties. Keystone denied the principal allegations of the complaint.
- 4. The United States moved for a preliminary injunction. A hearing on the motion was held on July 24 and 28, 1986. At the hearing and in a written order dated September 24, 1986 the Court ordered Keystone to cease placing certain wastes in certain impoundments and other structures at the Bartonville Plant by October 1, 1986. Keystone complied with the order.
- 5. Under RCRA Keystone must close the impoundments and other structures according to an approved closure plan. The United States asserts that the Illinois Environmental Protection Agency ("IEPA") has authority to approve RCRA closure plans in Illinois, including any plan submitted by Keystone. Keystone asserts that this Court has authority to determine the nature and sufficiency of RCRA closure measures.
- 6. In an effort to avoid unnecessary and costly litigation, Keystone has submitted a proposed closure plan to IEPA. At the time of this partial consent decree there is a

substantial likelihood that Keystone and IEPA will agree on a closure plan, and that Keystone then will implement it.

CLOSURE PLAN APPROVAL AND IMPLEMENTATION

- 7. Keystone shall close its impoundments and other structures as required by RCRA and consistent with the following provisions of this consent decree.
- 8. Keystone shall continue in good faith to seek approval of a closure plan from IEPA.
- 9. Keystone shall implement the closure plan approved or issued by IEPA according to the schedule set forth in the approved plan unless, within 30 days of such approval or issuance, Keystone petitions the Court for alternative closure requirements under paragraph 21 of this consent decree and the Court ultimately grants such relief. In the latter case Keystone shall close subject to terms and according to a schedule imposed by the Court.
- 10. The parties reserve their respective positions concerning whether this Court has authority to review RCRA closure plans or to authorize closure on terms other than those required by a State-approved plan. This consent decree does not confer such authority on the Court.

CIVIL PENALTY

11. Keystone shall pay a civil penalty totalling \$280,000 plus interest as specified below.

- 12. Keystone shall pay the \$280,000 principal amount according to the following schedule:
- a. \$30,000 shall be paid within 30 days after entry of this consent decree.
- b. \$125,000 shall be paid one year after entry of this consent decree or 30 days after IEPA approval of a closure plan, whichever is later, but in any event no later than two years after entry of this consent decree;
- c. \$125,000 shall be paid two years after entry of this consent decree.
- 13. Except as is specifically stated in paragraph 12.b, payment of the above civil penalty is not contingent on Keystone receiving approval of a closure plan, or on any determination the Court may make on closure plan approval authority.
- 14. Keystone shall pay no interest on the principal amount due under the first payment (\$30,000) if the payment is made on time. If the payment is late, Keystone shall pay interest on it which shall begin to accrue on the date the payment is due.
- 15. Keystone shall pay interest on the principal amounts due under the second and third payments (\$125,000 each) which shall began to accrue on the date of entry of this consent decree.
- 16. Interest shall accrue on the declining principal balance at the rate provided in 28 U.S.C. §1961(a), that is, a rate equal to the coupon issue yield equivalent (as determined by

the Secretary of the Treasury) of the average accepted auction price for the last auction of 52-week U.S. Treasury bills settled 30 days prior to the time of each payment. Interest shall be compounded annually.

- 17. Accrued interest on a principal amount shall be due when payment of the principal amount is due.
- 18. Keystone shall pay civil penalty amounts and interest by certified check payable to "Treasurer, United States of America." Keystone shall send checks, with a transmittal letter stating the caption and number of this action and the paragraph of this consent decree under which payment is being made, to:

U.S. Environmental Protection Agency Region V P.O. Box 70753 Chicago, Illinois 60673

Keystone shall send a copy of the transmittal letter to:

U.S. EPA, Region V Waste Management Division RCRA Enforcement Branch, 5HS-12 230 South Dearborn Street Chicago, Illinois 60604

GENERAL PROVISIONS

- 19. Approval and entry of this consent decree by the Court, and compliance with it by Keystone, shall satisfy all of Keystone's civil liability for the violations alleged in the complaint.
- 20. Keystone shall make no claim against the United States or the Hazardous Substance Superfund established by

Section 221 of the Comprehensive Environmental Response,
Compensation and Liability Act ("CERCLA"), 42 U.S.C. §9631, for
any costs incurred by Keystone in complying with this consent
decree.

- 21. The Court shall retain jurisdiction to enforce and modify this consent decree and to resolve disputes arising under it.
- 22. This consent decree does not eliminate or affect Keystone's responsibility to comply with RCRA and other federal and state environmental laws, including any responsibility Keystone may have under the corrective action authority established by Sections 3004(u), 3004(v), and 3008(h) of RCRA, 42 U.S.C. §6924(u), 6924(v), and 6928(h).
- 23. Approval by the Court and entry of this consent decree is subject to 28 C.F.R. §50.7, which requires that notice of proposed consent decrees in certain environmental actions be given to the public, and that the public shall have at least thirty days to submit comments on the proposed consent decree.

By their undersigned counsel the parties enter into this consent decree and submit it to the Court for approval and entry.

IT IS SO ORDERED.

7400

HONORABLE

LE MICHAEL M. MIHM

United -States District Judge

FOR KEYSTONE CONSOLIDATED INDUSTRIES, INC.

FOR THE UNITED STATES

NICHOLAS R. OWENS

President

Keystone Consolidated Industries, Inc.

JAMES H. SCHINK
ANDREW R. RUNNING
Kirkland & Ellis
200 East Randolph Drive
Chicago, Illinois 60601
Attorneys for Keystone
Conslidated Industries,
Inc.

ROGER J. MARZULLA

Assistant Attorney

General

Land and Natural Resources
Division

U.S. Department of Justice

GERALD D. FINES United States Attorney Central District of Illinois

L. LEE SMITH
Assistant United States Attorney

VALDAS' V. ADAMKUS

Regional Administrator

Region V

U.S. Environmental Protection Agency

THOMAS L. ADAMS, JR.

Assistant Administrator
Office of Enforcement and
Compliance Monitoring

U.S. Environmental Protection Agency -

Mark E. Gummer by B.R.

Attorney, Environmental Enforcement Section Land and Natural Resources Division

U.S. Department of Justice

Assistant Regional Counsel U.S. Environmental Protection

Agency - Region V

Winois Environmental Protection Agency Peoria County Wire Company

Peoria County Wire Company

Peoria County Wire Company

Peoria County Wire Company

Peoria County

Peoria County 217 1782-6761 Dear Mr. Bennington:

reference to the May and 1989 submittal by Mr. Andr.

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the compliance Refer to: Mr. Dale Bennington Wire Company
Wr. Dale Bennington Wire Company
Wr. Dale Bennington Wire Company
Keystone Steel Adams
Keystone South Te, IL
Rartonville, IL June 14, 1989 municuring requirements who submittals should ciarify for the fine his located subsequents timent that so should ciarify in his location and water submittals was store on his location. We was store on his location. We store the location was store on his location. We store to his location. quà Dear Mr. Bennington: mitte 15 day. Additiona. The second and arter samples and service second as the reports of the second and surface or samples and service of the second service or samples and service of the second second service of the second se October 3, of that revie If you have any at 217/782-9890. Sincerely, argels aye Din . Violation. Angela Aye Tin, Manager Technical Compliance Unit required to minter was to minute to minute to contest was in provided to contest was a resulted to the least to the contest to the least to the contest to the least of the le Compliance Section Division of Land Pollution Contro AAT: KWL: tk: 2/20/2 Division File Peoria Region USEPA, Region v John Richardson Kenn Liss



217/782-6761

Refer to: LPC #1430050001 -- Peoria County

Bartonville/Keystone Steel and Wire Company

ILD000714881 Compliance

June 14, 1989

Mr. Dale Bennington Keystone Steel and Wire Company 7000 South Adams Bartonville, IL 61641

Dear Mr. Bennington:

This letter is in reference to the May 18, 1989 submittal by Mr. Andrew Running on behalf of Keystone Steel and Wire Company. Mr. Running's letter was in response to a May 12, 1989 Compliance Inquiry Letter (CIL) issued to Keystone for an apparent violation of the groundwater monitoring requirements of 35 Ill. Adm. Code, Part 725, Subpart F.

In his letter, Mr. Running expressed confusion over the basis of the violation and subsequently offered two responses. Although the violation was explained in Attachment A to the CIL, the following review of Keystone's groundwater submittals should clarify the reason for the violation.

The second and third quarter groundwater quality assessment results dated April 15 and July 15 of 1988 were submitted by Geosciences Research Association, Inc. (GRAI). The reports contained analytical results from inorganic and organic samples of the facility's monitoring well system for determining the rate and extent of contaminant migration. The first quarter sample results were not submitted. The fourth quarter submittal dated November 3, 1988 did not include analytical results for the organic contaminants and is therefore incomplete. The first and second quarter reports for 1989 are also incomplete for the same reason.

Keystone is required to make quarterly determinations on the rate and extent of groundwater contamination for the Bartonville facility as specified in Section 725.193(d)(7)(A) of 35 III. Adm. Code, Subpart F. The quarterly sampling events must include sampling for all of the hazardous waste or hazardous waste constituents in the groundwater. The quarterly assessment results must be submitted as part of the annual report as required by 725.194(b)(2). Keystone's failure to fulfill this requirement is the basis for the apparent violation cited in the May 8, 1989 CIL.

To resolve the apparent violation, Keystone must submit an amendment to the annual report which includes the results of the quarterly monitoring activities required in Section 725.193(d)(7)(A) and Keystone's determination of the rate and extent of contaminant migration (organic and inorganic constituents). If the information is not available (i.e., Keystone failed to perform adequate sampling as indicated by the quarterly submittals) a proposed schedule of compliance must be submitted. The Agency is requesting a response to this letter within 15 days addressing the outstanding violation.

Additionally, the Agency has initiated its review of Keystone's October 3, 1988 submittal. Comments will be forwarded upon completion of that review.

If you have any questions, please contact Kenneth W. Liss of my staff at 217/782-9890.

Sincerely,

angela aye Din

Angela Aye Tin, Manager Technical Compliance Unit Compliance Section Division of Land Pollution Control

AAT: KWL: tk: 2/20/2

cc:

Division File Peoria Region USEPA, Region V John Richardson

Kenn Liss

Industrial Toxics Project

Keystone Steel & Wire Co.

TRĬ-FAC.-ID: 61641KYSTN70005 U.S. EPA-ID: ILD 000 714 881

On 6/29/88, a consent decree was entered, which required closure of surface impoundments and ground-water monitoring. A penalty of \$319,444 has been paid.

On 10/25/90, a CAFO was entered, which required closure of a waste pile and no further storage of KO61. A penalty of \$40,875 has been paid.

There were no pollution prevention/waste minimization activity requirements established in either of these recent actions.

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SECTION 703.121 RCRA PERMITS

- a) No person shall conduct any hazardous waste storage, hazardous waste treatment or hazardous waste disposal operation:
 - Without a RCRA permit for the HWM (hazardous waste management) facility; or
 - 2) In violation of any condition imposed by a RCRA permit;
- b) Owners and operators of hazardous waste management units must have permits during the active life (including the closure period) of the unit, and, for any unit which closed after January 26, 1983, during any post-closure care period required under 35 Ill. Adm. Code 724.217 and during any compliance period specified under 35 Ill. Adm. Code 724.196, including any extension of that compliance period under 35 Ill. Adm. Code 724.196(c).

SECTION 703.151(a) APPLICATION BY NEW HWM FACILITIES

a) Except as provided in subsection (c), no person shall begin physical construction of a new HWM facility without having submitted Part A and Part B of the permit application and having recieved a finally effective RCRA permit;

SECTION 722.134(a) ACCUMULATION TIME

- a) Except as provided in subsections (d), (e) or (f), a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:
 - The waste is placed in containers and the generator complies with 35 Ill. Adm. Code 725 Subpart I or the waste is placed in tanks and the generator complies with 35 Ill. Adm. Code 725 Subpart J except 35 Ill. Adm. Code 725.297(c) and 725.300. In addition, such a generator is exempt from all the requirements in 35 Ill. Adm. Code 725 Subparts G and H, except for 35 Ill. Adm. Code 725.211 and 725.214;
 - 2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
 - While being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste", and
 - 4) The generator complies with the requirements for owners and operators in 35 Ill. Adm. Code 725 Subparts C and D and with 35 Ill. Adm. Code 725.116.

SECTION 725.113(a) GENERAL WASTE ANALYSIS

365

a) 1) Before an owner or operator treats, stores or disposes of any hazardous waste, the owner or operator shall obtain a detailed chemical and physical analysis of a representative sample of the waste.

At a minimum, this analysis must contain all the information which must be known to treat, store or dispose of the waste in accordance with the requirements of this Part.

The analysis may include data developed under 35 Ill. Adm. Code 721 and existing published or documented data on the hazardous waste or on waste generated from similar processes.

(Board Note: For example, the facility's record of analyses performed on the waste before the effective date of these regulations or studies conducted on hazardous waste generated from processes similar to that which generated the waste to be managed at the facility may be included in the data base required to comply with subsection (a)(1). The owner or operator of an off-site facility may arrange for the generator of the hazardous waste to supply part or all of the information required by subsection (a)(1). If the generator does not supply the information and the owner or operator chooses to accept a hazardous waste, the owner or operator is responsible for obtaining the information required to comply with this Section.)

- 3) The analysis must be repeated as necessary to insure that it is accurate and up-to-date. At a minimum, the analysis must be repeated:
 - A) When the owner or operator is notified, or has reason to believe, that the process or operation generating the hazardous waste has changed; and
 - B) For off-site facilities, when the results of the inspection required in subsection (a)(4) indicate that the hazardous waste received at the facility does not match the waste designated on the accompanying manifest or shipping paper.
- 4) The owner or operator of an off-site facility shall inspect and, if necessary, analyze each hazardous waste movement received at the facility to determine whether it matches the identity of the waste specified on the accompanying manifest or shipping paper.

SECTION 725.115(b) GENERAL INSPECTION REQUIREMENTS

- t) The owner or operator shall develop and follow a written schedule for inspecting all monitoring equipment, safety and emergency equipment, security devices and operating and structural equipment (such as dikes and sump pumps) that are important to preventing, detecting or responding to environmental or human health hazards.
 - 2) The owner or operator shall keep this schedule at the facility.
 - 3) The schedule must identify the types of problems (e.g., malfunctions or deterioration) which are to be looked for during the inspection (e.g., inoperative sump pump, leaking fitting, eroding dike, etc.).
 - The frequency of inspection may vary for the items on the schedule. However, it should be based on the rate of possible deterioration of the equipment and the probability of an environmental or human health incident if the deterioration or malfunction or any operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas, must be inspected daily when in use. At a minimum the inspection schedule must include the items and frequencies called for in Sections 725.274, 725.293, 725.295, 725.326, 725.447, 725.477 and 725.503.

SECTION 725.115(d)

The owner or operator shall record inspections in an inspection log or summary. The owner or operator shall keep these records for at least three years from the date of inspection. At a minimum, these records must include the date and time of the inspection, the name of the inspector, a notation of the observations made and the date and nature of any repairs or other remedial actions.

SECTION 725.116(a) PERSONNEL TRAINING

- a) 1) Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of this Part. The owner or operator must ensure that this program includes all the elements described in the document required under paragraph (d)(3) of this Section.
 - This program must be directed by a person trained in hazardous waste management procedures, and must include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed.

Copy 6/26/89 referred

6) Monitoring, testing or analytical data where required by Sections 725.190, 725.194, 725.291, 725.293, 725.295, 725.376, 725.378, 725.380(d)(1), 725.447 and 725.477; and

(Board Note: As required by Section 725.194, monitoring data at disposal facilities must be kept throughout the post-closure period).

7) All closure cost estimates under Section 725.242 and, for disposal facilities, all post-closure cost estimates under Section 725.244.

*SECTION 725.174(a) AVAILABILITY, RETENTION AND DISPOSITION OF RECORDS

a) All records, including plans, required under this Part must be furnished upon request and made available at all reasonable times for inspection by any officer, employee or representative of the Agency who is duly designated by the Director.

This apparent violation was observed in an inspection of the facility on November 28, 1988. The facility did not provide all required documenets for review. The waste analysis plan, inspection schedules and records, and training records were not made available.

SUBPART L: WASTE PILES

*SECTION 725.351 PROTECTION FROM WIND

The owner or operator of a pile containing hazardous waste which could be subject to dispersal by wind must cover or otherwise manage the pile so that wind dispersal is controlled.

*SECTION 725.353(a) CONTAINMENT

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If leachate or runoff from a pile is a hazardous waste, then either:

- a) 1) The pile msut be placed on an impermeable base that is compatible with the waste under the conditions of treatment or storage;
 - 2) The owner or operator must design, construct, operate and maintain a run-on control system capable of preventing flow onto the active portion of the pile during peak discharge from at least a 25-year storm;
 - 3) The owner or operator must design, construct, operate and maintain a run-off management system to collect and control at least the water volume resulting from a 24-hour, 25-year storm; and

4) Collection and holding facilities (e.g., tanks or basins) associated with run-on and run-off control systems must be emptied or otherwise managed expeditiously to maintain design capacity of the system; or

*SECTION 725.353(b)

- 1) The pile must be protected from precipitation and run-on by some other means; and
- No liquids or wastes containing free liquids may be placed in the pile.

Board Note: If collected leachate or runoff is discharged through a point source to waters of the United States, it is subject to the requirements of Section 12 of the Illinois Environmental Protection Act, as amended.

*SECTION 725.354 DESIGN REQUIREMENTS

The owner or operator of a waste pile is subject to the requirements for liners and leachate collection systems or equivalent protection provided in 35 Ill. Adm. Code 724.351, with respect to each new unit, replacement of an existing unit, or lateral expansion of an existing unit that is within the area identified in the Part A permit application, and with respect to waste received beginning May 8, 1985.

*No Compliance Inquiry Letter Sent

IV. Remedy

A. Background

In 1986 Keystone submitted a Closure Plan to the Agency which was subsequently rejected. The Closure Plan was submitted as the result of a Complaint filed on July 18, 1986 by USEPA for IEPA for certain RCRA violations by Keystone. The Plan was to address, <u>inter alia</u>, groundwater monitoring measures and Keystone's unlined earthen impoundments.

B. Statement of Current Status

The Agency's rejection of the Keystone Closure Plan seemed to mark a cessation of all activity by Keystone to enter into any form of remedial activity (including preparation of a follow-up of the rejected Closure Plan)



Illinois Environmental Protection Agency P.O. Box 19276, Springfield, IL 62794-9276

(217)782-5544

June 26, 1989

Mr. William Muno Chief, RCRA Enforcement Branch United States Environmental Protection Agency 230 S. Dearborn Mail #5HR-12 Chicago, Illinois 60604



O. ACCEDING TRADIA Waste Manag rouse Division U.S. EPA, REGION V.

Re: USEPA vs. Keystone Consolidated Industries, Inc.
Civil Action No. 86-1212
IEPA #1430050001

Dear Mr. Muno:

Enclosed find a Supplemental Brochure prepared for inclusion in your existing file in the above-referenced matter. The <u>initial referral</u> of this file was made to Region V by a brochure dated <u>January 5, 1985</u>. Because of new apparent violations and continuing violations, both stated in the Supplemental Brochure, the Agency has designated the Defendant, Keystone Consolidated Industries, Inc., a High-Priority Violator (HPV), and requests that you take immediate action in this matter.

Be advised that Defendant has prepared a Remedial Investigation (RI) for review by the Agency's Permit/Compliance section(s). This submittal was made by Defendant after it provided us with a Remedial Investigation PLAN (received by the Agency in July, 1988). In your review of the file will you please prepare for us an Opinion Letter with the answer(s) to the following question:

Does the submittal of the Remedial Investigation meet the terms of Para. 8 of the June 29, 1988 Consent Decree, i.e., by submitting an RI is Keystone continuing "in good faith to seek approval of a closure plan from IEPA"?

I have attached (immediately to this letter) for your information and for your files, a letter dated October 24, 1988 from Andrew Running of Kirkland & Ellis, Keystone's counsel. Mr. Running states in this letter that the 1988 Consent Decree "...resolved...all...claims...for Keystone's...failure to file an approved closure plan..." The Agency takes the opposing position, and we are seeking remedies for what we believe to be a clear violation of the Consent Decree. The Agency will not acquiesce in its demand for what it believes to be the con-

Mr. William Muno Page 2

tinuing compliance requirements of a closure plan stated in para. 8 of the Consent Decree. If Mr. Running intends to substitute a Remedial Investigation for a closure plan because he believes a closure plan is no longer indicated, we submit that he has misinterpreted the Consent Decree.

This file has been referred to Hortense Haynes of the Agency's legal staff for future handling. Please apprise her of any and all activity undertaken by you in this matter. Ms. Haynes' telephone number is (217)782-5544.

Sincerely,

Gary P. King

Senior Attorney

GPK:HH:mm/20-1

Enclosure

cc: Gary King

Peoria Region Angela Aye Tin Division File GEOSCIENCES RESEARCH ASSOCIATES, INC.

geological, hydrological, geotechnical and environmental consulting

627 N. Morton Street Bloomington, Indiana 47404

812-336-0972

June 21, 1989

XC USEPA XC FOS-Central XC H. Hayes, ENF Robert E. Aten, Ph.D. Senior Geologist Yhen EHE JPR James H. Keith, Ph.D.

Richard L. Powell, Ph.D. Senior Geologist

Senior Ecologist

John L. Bassett Geologist - Hydrologist

Ms. Angela Aye Tin Compliance Section Illinois Environmental Protection Agency Division of Land Pollution Control 2200 Churchill Road Post Office Box 19276 Springfield, Illinois 62794-9276

RECEIVED
JUN 2 6 1989
IEPA-DLPC

Re: Keystone Steel & Wire Company, IEPA Compliance Inquiry Letter No. P131 207 528 dated May 18, 198(9) and response letter dated June 14, 1989

1430500001 Keystone Steel & Wire

Dear Ms. Tin:

This letter is in response to your letter dated June 14, 1989 to Mr. Dale Bennington of Keystone Steel & Wire Company. It is apparent from your letter that there is some misunderstanding or lack of communication regarding the submittals for ground water results from the monitoring wells at the Keystone facility. A brief summary of the history of ground water sampling and analysis should help to clarify the apparent misunderstanding.

Keystone has been conducting ground water sampling and analysis since September, 1986 according to agreements made between Keystone, the U.S. EPA and the IEPA at various meetings, and is continuing to do so. At a meeting held November 9, 1987, IEPA personnel recommended seven new wells be installed (eight wells were installed in December, 1987 and January, 1988) and that at least one special sampling event be conducted for all wells and analyzed for those organic parameters listed by Keystone as being used at the plant in the past. This special sampling event was conducted on February 17 and 18, 1988 (first quarter, 1988 sampling) and the results were submitted April 15, 1988. Certain organic compounds were detected in some of the well samples.

As a result of the organic compounds being detected in well samples and because Keystone recognizes the importance of identifying the rate and extent of contaminant migration, Keystone instructed Geosciences to prepare a Remedial Investigation Plan to be submitted to the IEPA for review and approval. The purpose of the plan was to identify the horizontal and vertical extent of contaminants and the possible source. This plan was sumbitted to you on July 1, 1988. A second special sampling event was conducted on May 25 and 26, 1988 (second quarter, 1988 sampling) and the results were submitted on July 15, 1988. This special sampling event confirmed the presence of organics.

A. Tin June 21, 1989 Page 2

At a meeting held August 17, 1988 at your office, the proposed Remedial Investigation Plan and IEPA staff review comments were discussed. Illinois EPA personnel recommended certain modifications in the proposed work and that the plan be a part of a Quality Assurance Project Plan. A comprehensive proposal titled "Remedial Investigation Sampling and Analysis Plan, Part A. Quality Assurance Project Plan, Part B. Field Sampling Plan" was submitted to you and Mr. Kenn Liss on September 30, 1988. Mr. Liss requested a third copy of the plan for submittal to the U.S. EPA. This additional copy was sent to Mr. Liss on October 5, 1988.

It is clear that before a "determination of the rate and extent of contaminant migration" can be made, the existing horizontal and vertical extent and source of contaminants must be investigated. Keystone has instructed Geosciences to initiate the necessary studies as soon as the IEPA has approved the Remedial Investigation Sampling and Analysis Plan. The schedule for these studies is included in the plan.

Sincerely,

Robert E. Aten

Best & atm

cc: K. Liss

jt

XCKentriss XCUSEPA) XCEOSHaywood then BW

KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive Chicago, Illinois 60601 Telex 25-4361

312 861-2000

Washington Office 655 Fifteenth Street, N.W. Washington, D.C. 20005 202 879-5000

To Call Writer Direct 312 861- 2412

Denver Office

1999 Broadway

Denver, Colorado 80202

303 291-3000

May 18, 1989

BY CERTIFIED MAIL

Ms. Angela Aye Tin
Manager
Technical Compliance Unit
Compliance Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

RECEIVED

MAY 2 2 1989

IEPA-DLPC

Re: Keystone Steel & Wire Co.; IEPA Compliance Inquiry Letter No. P 131 207 528 dated May 8, 198[9] and received by Keystone on May 12, 1989.

Dear Ms. Tin:

I am writing on behalf of Keystone in response to the above-referenced compliance inquiry letter (which was incorrectly dated May 8, 1988).

As you will recall, Keystone's vice president for manufacturing (Mr. Phillips), Keystone's hydrologist (Dr. Aten), Keystone's consulting environmental engineer (Mr. Polich) and I met with you and your staff at IEPA's offices on August 17, 1988. During that meeting it was agreed that Keystone would submit a phased groundwater monitoring proposal for IEPA's review and approval by the first week of October. Dr. Aten submitted that proposal on October 3, 1988. At Ken Liss's request, Dr. Aten forwarded an additional copy of the proposal for distribution by your staff to the U.S. EPA one week later. Since then, neither Keystone nor Dr. Aten have received any comments from either IEPA or U.S. EPA concerning the October 3rd proposal.

Your May 8th letter asserts that Keystone is in "apparent violation of 35 Ill. Adm. Code 725.194(b)(2)" because "the Agency has not received the groundwater quality assessment results." If you were referring to the October 3rd proposal, the

KIRKLAND & ELLIS

Ms. Angela Aye Tin May 18, 1989 Page Two

yet received IEPA's approval to begin work. As soon as we receive your approval, we will commence the program.

If, instead, your May 8th letter is referring to Keystone's ongoing quarterly groundwater monitoring program, the letter is inaccurate. Dr. Aten has been forwarding these quarterly results, with the back-up laboratory reports, to Mr. Liss as soon as the data is available.

If IEPA has approved Keystone's October 3, 1988 proposal, we would greatly appreciate written confirmation of that fact. If a meeting would be useful to discuss the proposal, please call me.

Sincerely,

Andrew R. Running

ARR: pad



217/762-6761

Pefer to: 1430050001 -- Peorta County

Sartonville/Keystone Steel & Wire

ILMXXX714881 Compliance File

COMPLIANCE INQUIRY LETTER

Certified & 19/3/ 3

Hay C. 199

Keystone Steel & Mire Company

Attn: Dale Bennington

7000 South Adams

Bartonville, Illinois 61641

Dear Mr. Beanington:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 III. Adm. Code. Part 725 and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations. The Agency's findings of apparent non-compliance in Attachment A are based on an April 20, 1989 review of documents submitted to the Agency to demonstrate compliance with the requirements of Subpart F.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule. including dates, by which each violation will be resolved. The written response, and two copies of all documents submitted in reply to this letter. should be sent to the following:

> Angela Aye Tin, Kanager Technical Compliance Unit Compliance Section Illinois Environmental Protection Assacs Division of Land Pollution Control 2200 Churchill Read Post Office Box 19276 Springfield, Illinois 62794-9276



Page 2

further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act. Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 W.S.C. Sec. 6901 et seq.

If you have any questions regarding the above, please contact Kenneth W. Liss at 217/782-6761.

Sincerely.

Angela Aye Tin, Menager Technical Compliance Unit Compliance Section Division of Land Pollution Control

ART: XWL: JPR: Ja/1 605k, 35, 36

cc: Division File Peorta Recton John Richardson Kenneth Liss Hery Perphy. USEPA-Region Y



Attachment A

Pursuant to 35 III. Ade. Code 725.1941b)(2). If the groundsater is monitored to satisfy the requirements of Section 725.193(e)(4) the owner or operator must annually, until final closure of the facility, submit to the Director a report containing the results of his groundwater quality assessment program which includes, but is not limited to, the calculated (or measured) rate of migration of hazardous waste or hazardous waste constituents in the groundwater during the reporting period. This report must be submitted as part of the annual report required under Section 725.175.

You are in apparent violation of 35 III. Ace. Code 725.194(b)/2) for the following reason(s): As of the date of this inquiry, the Agency has not received the groundwater quality assessment results.

KML: JPR: 10/1609k.37





April 12, 1989

Ms. Angela Aye Tin, Manager
Technical Compliance Unit
Compliance Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
P. O. Box 19276
Springfield, IL 62794-9276

Dear Ms. Tin:

RE: Compliance Inquiry Letter of 3/29/89 - ILD000714881

I am writing in response to your compliance inquiry letter of March 29, 1989. Specifically, Keystone responds to each of the Attachment "A" items as follows:

1. "The waste analysis plan, inspection records and training records were not available for inspection."

Keystone's Response:

Keystone is currently updating its training records and will consolidate all its records so they are available for inspection on short notice. This should be accomplished by 7/1/89.

2. "The waste pile of Arc Dust (K061) was not protected from wind dispersion."

Keystone's Response:

Before placing it on the temporary storage pile, Keystone wetted all of this dust with water in an enclosed mixer to avoid blowing problems. In addition, the pile is inspected weekly to make sure that the dust is not being dispersed by wind action. These weekly inspections have detected no wind dispersion of the dust.

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APR 1 3 1989

IEPA-DLPC

3. "The waste pile of Arc Dust (K061) is not on an impermeable base and there is no run-on control system or runoff control system ..."

Keystone's Response:

Keystone has constructed an earthen levee around the periphery of the pile to prevent both run-on and run-off. In addition, a plastic liner was placed on the bottom before the dust was placed into the area.

4. "The waste pile of Arc Dust (K061) is not protected from the precipitation and run-on by some other means other than that required by Section 725.353(a)."

Keystone's Response:

The earthen levee and plastic liner described in Paragraph 3 are adequate protection from precipitation and run-on.

5. "The waste pile of Arc Dust (K061) does not have the liner and leachate collection system that meets the requirements of Section 724.351."

Keystone's Response:

Keystone considers the waste pile to be temporary. It will be removed as soon as EPA allows the waste to be disposed of. Peoria Disposal Company's Part B approved hazardous waste disposal facility has been unable to accept sufficient quantities of the waste dust because of permitting problems and delays that have occurred over the past year.

Once Peoria Disposal is able to accept the dust in the necessary quantities, Keystone will, in a very short period of time, transport all of the dust pile to it.

In response to Peoria Disposal's permitting delays, Keystone has also contacted Chemical Waste Management's treatment facility near Lake Charles, Louisiana. They are currently evaluating the dust to see if it can be treated successfully. In addition, Conversion Systems, Inc. has been sent a sample of the dust to determine whether it can be treated successfully. Finally, arrangements have been made in the past with Continental Cement Company's Hannibal, Missouri, facility for use of the dust as an ingredient in the manufacture of Portland cement, but Continental is not currently accepting additional shipments.

Despite its diligent efforts to make proper off-site disposal arrangements for the dust, Keystone has not yet been able to do so. Any assistance either IEPA or U.S. EPA could provide to resolve this problem would be appreciated.

If you have further questions concerning any of the matters raised in your March 29th letter, please do not hesitate to contact me.

Sincerely,

Dale Bennington

Manager, Energy &

Environmental Engineering

DB/dm

BCC: JIM RING, LES PHILLIPS, ANDREW RUNNING(KIRKLAND & ELLIS)

BCC NOTE: THIS LETTER MAILED ON THIS DATE VIA USCERTIFIED MAIL(CERT.# P671757438).

APPROVAL TO SEND THE LETTER WAS OBTAINED VERBALLY FROM DAWN

Blay to 1/1/19

XEUSER Regy XE EOS CEOTIA XE THEN KENNY LISS THEN FORM Richardson

KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive Chicago, Illinois 60601 Telex 25-4361

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Washington Office 655 Fifteenth Street, N.W. Washington, D.C. 20005 202 879-5000

Denver, Colorado 80202 303 291-3000

Denver Office

1999 Broadway

To Call Writer Direct 312 861- 2412

October 24, 1988

4.1.2.1.1

Ms. Angela Aye Tin
Manager
Illinois Environmental
Protection Agency
Technical Compliance Unit
Compliance Section
Division of Land
Pollution Control
P. O. Box 19276
Springfield, Illinois 62794-9276

Re: <u>Keystone Steel and Wire Company</u>

Dear Ms. Tin:

I am writing in response to your September 27, 1988 letter to Dale Bennington of Keystone, in which you noted "continuing apparent violations" of the Illinois RCRA regulations concerning the posting of financial assurance for the closure of hazardous waste management units.

As you know from our meeting in Springfield on August 17th, Keystone entered into a consent decree with the United States on June 29, 1988 in the federal lawsuit brought in Peoria (Case No. 86-1212). That consent decree resolved all of the pending claims by the United States for penalties and injunctive relief for Keystone's alleged failure to file an approved closure plan for the KO62 planets at issue in the case. The "apparent violation is the cite in your letter - all of which relate to the absence the perfected closure plan - were all resolved by that decree.

Under the terms of the consent decree, Keystone "shall continue in good faith to seek approval of a closure plan from IEPA." (¶5) Should the closure negotiations between Keystone and IEPA reach an impasse, Keystone retains the right to seek relief from the Court. (¶10)

RECEIVED

OCT 26 1988

IEPA-DLPC

KIRKLAND & ELLIS

Ms. Angela Aye Tin October 24, 1988 Page Two

Consistent with our obligations under ¶5 of the consent decree - and with the company's prior policy, Keystone's consultants have expended a great deal of effort in the past two years in studying the closure issues at the site. As you know from our August 17th meeting, that closure planning work has been made more difficult by the recent discovery of significant levels of volatile organic contaminants unrelated to the KO62 discharges that were the subject of the federal lawsuit. During the August 17th meeting, the IEPA staff agreed with Keystone's consultants that the submission of a closure plan for the KO62 impoundments should be delayed until the scope and severity of the volatile organic contamination is determined. We agreed on an October 1st target date for Dr. Robert Aten to submit a detailed groundwater monitoring proposal, a commitment Keystone has met. As I told Virginia Yang during our telephone conversation on October 17th, Keystone's consultants are prepared to meet on short notice with the IEPA staff to review the staff's comments on Dr. Aten's September 30th plan, with the hope that field work can begin before the onset of winter.

Keystone continues to believe that the submission of a closure plan would be premature until the extent and severity of the site groundwater problem is determined. For that same reason, Keystone is unable to address at this time the financial assurance questions raised in your letter (though I would note that the concerns about liability coverage for sudden and non-sudden accidental occurrences raised in items "b" and "c" of the letter are not applicable to the Keystone site). If you would like to discuss this matter further, please do not hesitate to call me.

Sincerely,

Andrew R. Running

ARR: pad

222 S. RIVERSIDE PLAZA - SUITE 1870 CHICAGO, ILLINOIS 60606 (312) 648-0002 FAX (312) 648-0551

August 9, 1988

Ms. Pat Vogtman TES IV Primary Contact U.S. Environmental Protection Agency Region V 230 South Dearborn Street Chicago, IL 60604

Re:

Contract No. 68-01-7351 Project No. 05-B201-00 Work Assignment No. 201 Keystone Steel and Wire Peoria, IL

RCRA Facility Assessment

RCRA, Region V

Dear Ms. Vogtman:

Please find submitted herewith the Data Evaluation Report for the Keystone Steel and Wire Company, Peoria, Illinois. A copy has also been forwarded to Kevin Moss, the Technical Contact for this site.

If you have any questions or require additional information, please feel free to contact either me at (312) 648-0002.

Sincerely,

Dean Geers

Regional Manager

Encl.

cc:

F. Norling

K. Moss



Keystone Consolidated Industries, tac.

Three Lincoln Centre 5430 LBJ Freeway, Suite 1440 Dallas, Texas 75240 (214) 458-0028

July 19, 1988



U. S. Environmental Protection Agency Region V P O Box 70753 Chicago, Illinois 60673

Re: United States v. Keystone Consolidated Industries, Inc. No. 86-1212 (C.D. Ill.)

Gentlemen:

Enclosed is our check, NO .030571, in the amount of \$30,000, payable to the Treasurer - United States of American, pursuant to Paragraph 12 of the Consent Decree filed June 29, 1988 in the matter of United States of America v. Keystone Consolidated Industries Inc., Civil Action No. 86-1212, in the United States District Court for the Central District of Illinois.

Sincerely,

Ralph P. End

Corporate Counsel

RPE/lsa

enc

/cc:

U.S. EPA, Region V Waste Management Division RCRA Enforcement Branch, 5HS-12 230 South Dearborn Street Chicago, Illinois 60604

5HS-12

MAY 2 6 1988

Mr. Dale Bennington Keystone Steel and Wire Company 7000 South Adams Bartonville, Illinois 61641

Re: Land Disposal Restrictions
Keystone Steel and Wire Company
ILD 000 714 881

Dear Mr. Bennington:

On February 23, 1988, the Illinois Environmental Protection Agency (IEPA), representing the U.S. Environmental Protection Agency, conducted a Resource Conservation and Recovery Act (RCRA) inspection of the above-referenced facility. The purpose of the inspection was to determine the facility's compliance with the applicable hazardous waste management requirements of RCRA, including the Federal land disposal restrictions. The land disposal restrictions for F001-F005 spent solvents became effective on November 8, 1986, (40 CFR Part 268 and revisions to 40 CFR Parts 260-265 and 270-271) and for "California List" hazardous wastes on July 8, 1987, (52 Federal Register 25760: revisions to 40 CFR Parts 262, 264, 265, 268, and 270-271).

With respect to the land disposal restrictions section of the inspection, your facility was found to be in compliance with the requirements. A copy of the inspection report is enclosed for your records.

If you have any questions regarding this correspondence, please contact Ms. Zetta Thomas of my staff at (312) 886-4581.

Sincerely yours.

Paul E. Dimock, Chief IL/MI/WI Enforcement Section

Enclosure

cc: Harry Chappel, IEPA Glenn Savage, IEPA

	CONCURRENCES	
MBOL	PSN	
RNAME	1 / 1	
ATE RIGIES 5	5-24-88	OFFICIAL FILE

KIRKLAND & ELLIS THE PARTIES A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive Chicago, Illinois 60601 Telex 25-4361

312 861-2000

.S. EPA, REGION V MANAGEMENT DIVISION THE DIRECTOR

Washington Office 655 Fifteenth Street, N.W. Washington, D.C. 20005 202 879-5000



To Call Writer Direct 312 861- 2412

Denver Office

1999 Broadway

Denver, Colorado 80202

303 291-3000

April 25, 1988

Virginia I. Yang, Esq. Enforcement Program Illinois Environmental Protection Agency 2200 Churchill Road Springfield, Illinois 62706

United States of America v. Keystone Consolidated

Industries, Inc. (No. 86-1212, C.D. Ill.)

Dear Virginia:

Keystone has forwarded to me the compliance inquiry letters of April 12 and 15, 1988 sent by Angela Aye Tin, Technical Compliance Unit, Compliance Section, IEPA Division of Land Pollution Control. I am very concerned that these letters appear to be at cross-purposes with the understandings reached between Keystone and the IEPA staff during our November 9, 1987 meeting at your offices. In reliance on the agreements reached during that meeting, Keystone installed additional wells, performed a special round of groundwater sampling and testing the results of which have been sent to the Agency, and is now preparing a detailed groundwater investigation plan. Ms. Tin's letter makes no mention of this course of action agreed to by both IEPA and Keystone on November 9th.

I am particularly troubled by Ms. Tin's suggestion that yet another enforcement action - with additional demands for civil penalties - may be in the works. As you know, the "noncompliance" issues addressed in these latest letters, relating to the alleged disposal of hazardous spent pickle liquor in the surface impoundments and the absence of RCRA groundwater monitoring measures, constitute the same cause of action that is

KIRKLAND & LLIS

Virginia I. Yang, Esq. April 25, 1988 Page Two

the subject of the ongoing federal lawsuit filed in 1986. wake of the positive agreements reached with IEPA on November 9th, Keystone and the United States have negotiated a proposed consent decree to resolve the civil penalty issues in that litigation. Paragraph 19 of the decree provides that: and entry of this consent decree by the Court, and compliance with it by Keystone, shall satisfy all of Keystone's civil liability for the violations alleged in the complaint." decree is approved by the United States and entered by the Court, you should be aware of Keystone's position that, absent proof of a material breach of the decree by Keystone, no further civil penalties may be assessed against Keystone relating to the surface impoundments that received the spent pickle liquor or to any asserted shortcomings in monitoring the groundwater beneath those impoundments. If you do not share this view, you should oppose the entry of the consent decree.

As you know from my letter of April 15th and from our telephone conversation on April 18th, the special round of groundwater monitoring revealed, for the first time, a potential problem with TCE contamination of the groundwater at the deep monitoring wells in the Mid-Mill area. Since Keystone has not used TCE since at least the time it was listed as a hazardous waste under RCRA, this groundwater problem is not the result of any RCRA violations by the company - assuming the problem is even attributable to Keystone. Nonetheless, Keystone wants to begin an immediate investigation of the problem, and as a first step I asked you on Monday for IEPA's cooperation in performing a residential well water survey. After Keystone's hydrologist, Dr. Robert Aten, has prepared his preliminary proposal, I request that a meeting be scheduled with the IEPA staff. We should be prepared for such a meeting by the third week in May.

In closing, let me reaffirm that Keystone remains committed to working with IEPA toward our mutual objective of achieving an environmentally-sound and cost-effective closure of the surface impoundments, including the resolution of any

KIRKLAND & ELLIS

Virginia I. Yang, Esq. April 25, 1988 Page Three

groundwater problems at the site. This case may well present complex closure issues. If we are to reach a successful conclusion to our joint efforts to resolve those issues, I believe it is essential that there be more continuity in our communications with the IEPA staff.

Sincerely,

Andrew R. Running

ARR: pad

Mr. Kevin Pierard
Marc M. Radell, Esq.
Ms. Angela Aye Tin

2200 Churchill Road, Springfield, IL 62706

217/711-411

Refer to: 100000000 - Peoria County

Serteuville/Keystone

ILBORO714861 Compliance File

COMPLIANCE INQUIRY LETTER

Certified #

April 15, 1988

Keystone Steel and Wire Company ATTN: Dale Bennington 7000 South Adams Bertonville, Illinois 61641

Dear Mr. Bennington:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 Ill. Adm. Code Subtitle 6 and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations. The Agency's findings of apparent non-compliance in Attachment A are based on an inspection completed on February 23, 1988. For your convenience a copy of the inspection report is enclosed with this letter. Also, other apparent violations from previous imagections remain unresolved.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule, including dates, by which each violation will be resolved. These resolution dates and provided days from the date of the above referenced industrial review. The written response, and two copies of all documents to the following:

Compliance Section
Illinois Environmental Protection Agency
Division of Land Pellution Centrol
2200 Churchill Road
Post Office Box 19276

Springfield, Illinois 62794-9276



medica that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.

If you have any questions regarding the above, please contact John Tripses at 309/693-6462.

Sincerely,

ingela up in

Angels Aye Tin, Manager Technical Compliance Unit Compliance Section Division of Land Polistics Control

AAT:JT:JR:1ab/09611, 63-64

cc: Bivistos File Peoria Region Virginia Yang Bill Metton Dave Jansen John Richardson USEPA. Region Y V







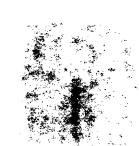
Attachment A

Parsuent to 35 171. Adm. Code 703.121(a), no person shall conduct any hazardous waste storage, hazardous waste treatment or hazardous waste disposal operation:

- 1. Without a RCRA permit for the HMM (hazardous waste management) facility; er
- 2. In violation of any condition imposed by a RCRA permit.

You are in apparent violation of 35 Ill. Adm. Code 703.121(a) for the following reason(s): Your facility stored hazardous waste in a surface impoundment without a RCRA permit.

AAT:JT:JR:1ab/0961j. 65







217/782-6761

Refer to: 1430050001 -- Peoria County

Bartonville/Keystone

ILDG00714881 Compliance File

COMPLIANCE INQUIRY LETTER

Certified &

April 1, 1988

Keystone Consolidated Industries Attn: Dale Bennington 7000 SW Adams Penria, Illinois 61641

Dear Mr. Bennington:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 III. Adm. Code, Part 725 and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations.

The Agency's findings of apparent non-compliance in Attachment A are based on a Narch 25, 1988 review of documents submitted to the Agency to demonstrate compliance with the requirements of Subpart F.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule, including dates, by which each violation will be resolved. The written response, and two copies of all documents submitted in reply to this letter, should be sent to the following:

Angela Aye Tin, Panager
Technical Compliance Unit
Compliance Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Post Office Eox 19276
Springfield, Illinois 62794-9276

Further, take notice that because some or all of the apparent violations cited constitute high priority violations (MPVs), in accordance with the USEPA Enforcement Response Policy this matter is being referred to USEPA Region 6 or the Illinois Attorney General's Office to seek assessment of a penalty pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et sec. or the federal Resource Conservation and Recovery Act (RCPA), 42 U.S.C. Sec. 6901 et sec.



Page 2

If you have any questions regarding the above, please contact Kenneth W. Liss at the number listed above.

Sincerely.

Angels Aye Tin, Henager Technical Compliance Unit Compliance Section Division of Land Pollution Control

AAT: KL: JR: \$ 1/9001, 54-55

cc: Division File
Peoria Region
Kenn Liss
USEPA Region V
John Richardson

KEYSTONE ILD 000 714 881 CONSENT DECREE COMMENTS January 29, 1988

Keystone shall submit a closure plan to IEPA for approval. This plan shall include the following provisions as described at 35 Ill. Adm. Code 725.212(b):

- a) A description of how each hazardous waste management unit at the facility will be closed; and
- b) A description of how final closure of the facility will be conducted. The desciption must identify the maximum extent of the operation which will be unclosed during the active life of the facility; and
- An estimate of the maximum inventory of hazardous wastes ever onsite over the active life of the facility and a detailed description of the methods to be used during partial and final closure, including, but not limited to methods for removing, transporting, treating, storing or disposing of all hazardous waste, identification of and the type(s) of off-site hazardous waste management unit(s) to be used, if applicable; and
- d) A detailed description of the steps needed to remove or decontaminate all hazardous waste residues and contaminated containment system components, equipment, structures, and soils during partial or final closure including but not limited to, procedures for cleaning equipment and removing contaminated soils, methods for sampling and testing surrounding soils, and criteria for determining the extent of decontamination necessary to satisfy the closure performance standard; and
- e) A detailed description of other activities necessary during the partial and final closure period to ensure that all partial closures and final closure satisfy the closure performance standards, including, but not limited to, ground-water monitoring, leachate collection, and run-on and run-off control; and
- f) A schedule for closure of each hazardous waste management unit and for final closure of the facility. The schedule must include at a minimum, the total time required to close each hazardous waste management unit and the time required for intervening closure activities which will allow tracking of the progress of paaartial and final closure; and
- g) An estimate of the expected year of final closure for facilities that use trust funds to demonstrate financial assurance under 35 Ill. Adm. Code 725.243 or 725.245 and whose remaining operating life is less than twenty years, and for facilities without approved closure plans.

Keystone shall comply with all IEPA requirements pertaining to any solid waste management units resulting from closure of the hazardous waste management units.

Keystone must amend the closure plan at least 60 days prior to any proposed change in facility design or operation, or not later than 60 days after an unexpected event has occurred which has affected the closure plan. If an unexpected event occurs during the partial or final closure period, Keystone must amend the closure plan no later than 30 days after the unexpected event. These provisions also apply if it is determined that closure of surface impoundments or waste piles by removal of all hazardous wastes is not possible requiring closure of these units as landfills in accordance with 35 Ill. Adm. Code 725.410.





217/782-6761

Refer to: 1430050001 - Peoria County

Bartonville/Keystone Steel and Wire Company

ILD000714881 Compliance File

COMPLIANCE INQUIRY LETTER

Certified #

January 25, 1988

Keystone Steel and Wire Company Attention: Mr. Dale Bennington 7000 South Adams Bartonville, IL 61641

Dear Mr. Bennington

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 Ill. Adm. Code Subtitle G and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations.

The Agency's findings of apparent non-compliance in Atachment A are based on an inspection completed on December 3, 1987. For your convenience a copy of the inspection report is enclosed with this letter.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule, including dates, by which each violation will be resolved. The written response, and two copies of all documents submitted in reply to this letter, should be sent to the following:

> Angela Aye Tin, Manager Technical Compliance Unit Compliance Section Illinois Environmental Protection Agency Division of Land Pollution Control 2200 Churchill Road Post Office Box 19276 Springfield, Illinois 62794-9276

Further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.



Page 2

If you have any questions regarding the above, please contact Mr. John Tripses at 309/693-5462.

Sincerely,

Angela Aye Tin, Manager Technical Compliance Unit

Compliance Section

Division of Land Pollution Control

AAT:MS:tf/0111j,53-55

cc: Division File Peoria Region Virginia Yang John Tripses Michael Severns



Attachment A

- 1 Pursuant to 35 Ill. Adm. Code 722.111, a person who generates a solid waste as defined in Section 721.102, must determine if that waste is a hazardous waste using the following method:
 - He should first determine if the waste is excluded from regulation under Section 721.104.
 - b. He must then determine if the waste is listed as a hazardous waste in Subpart D of Part 721.

Note: Even if a waste is listed, the generator still has an opportunity under Section 720.122 and 40 CFR Section 260.22 to demonstrate that the waste from his particular facility or operation is not a hazardous waste.

- If the waste is not listed as a hazardous waste in Subpart D of Part 721, he must determine whether the waste is identified in Subpart C of Part 721 by either:
 - Testing the waste according to the methods set forth in Subpart C of Part 721, or according to an equivalent method approved by the Board under Section 720.120; or 1
 - 2. Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.

You are in apparent violation of Section 722.111 for the following reason(s): Your facility failed to make the required waste determination for the contents of the barrels in the south storage yard.

Keystone Skel & Wire
11-4-87

NAME

VIRGINIA YANG
KEVIN MOSS

Kevin Pierard

Splinge

Tim Kluge

Skyhn Danis

Charlie Zeal

LARRY EASTEP

Andrew R. Running

Les Phillips

Jim Parious

Bob Aten

AFFILIATION

IEPA /ENF 382-5544 886-0991 US EPA U.S. CPA 586-8966 697-7241 KEYSTONE IEPA-WPC Permits 217-722-1696 IEPA-LPC Compl. 217-782-6761 JEA LA Permit 217-782-6762 IEM PERMITS " Kirkland CEllis 312-861-241. Keystone 308-697-7511 ERM-North Control 312-945-7200 Geosciences Research Assoc, INC 812336097



(217)782-5544

October 1, 1987

Mr. Mark E. Grummer, Esq. Environmental Enforcement Section Land & Natural Resources Division U.S. Department of Justice Washington, D. C. 20530

United States v. Keystone Consolidated Industries (C.D. III.: No. 86-1212)

Dear Mr. Grummer:

As recently discussed during the September 24th meeting and our subsequent telephone conversation, I am enclosing a revised summary of various comments and questions by our technical staff regarding the August 26, 1987 Sediment Treatment Proposal by ERM. These comments are directed toward identifying additional data necessary to expand this proposal into a RCRA closure plan submittal. This submittal should include the seven (7) identified RCRA units listed under Item No. 6(f)(i). Since Keystone is planning to expand its treatment process to include all sediments, a demonstration of "clean" closure for these identified RCRA units should be included as part of their RCRA closure plan. This demonstration will probably affect the applicability of the Subpart F groundwater monitoring requirements listed under Items 6 and 8.

Another area for state review and approval would be the design and operation of the lime stabilization treatment and disposal unit. I have enclosed various application forms with instructions and design criteria. The design criteria for landfills includes information about the bottom and side liners for the unit. These criteria should be considered as an objective for developing an adequate proposal. Therefore proposed designs can differ if a demonstration of equivalency is provided.

The third area of state review and approval would be possible modification of the existing NPDES Permit for Keystone. This review may involve additional federal comment from USEPA Region V since Keystone is classified as a "major facility."

I strongly urge Keystone and their technical staff to consider these comments and to schedule a technical meeting with our staff if they intend to compile the information

Mr. Mark E. Grummer, Esq. Page 2 October 1, 1987

needed for our review of these proposals. Although Keystone may have discussed some of these issues with the U.S. EPA, the company should be aware that similar discussions, documentation, analytical data, etc. are needed for review by this Agency. Please contact me if you have any questions or need more information. Thank you.

Sincerely,

Vugunia I Yang

Virginia I. Yang Enforcement Programs

VIY:mab

Enclosure

cc: A. Running

Marc M. Radell (5CS-TUB-3)

R. Carlson

CONFIDENTIAL - FOR NEGOTIATIONS ONLY

SUBJECT:

1430050001 -- Peoria Company Keystone Steel & Wire Company

ILD000714881 RCRA Closure

Keystone's proposal to lime stabilize and dispose their KO62 waste on-site was first outlined in a document dated June 11, 1987 and discussed by Keystone, U.S.EPA - Region V/Enforcements, U.S.DOJ and IEPA on June 12, 1987. A second document, dated August 26, 1987 reiterating the proposal with modifications designed to relieve concerns expressed in that meeting, was received by IEPA on August 27, 1987. The comments and questions listed below are items to be addressed by Keystone.

Is Keystone seeking to go through "clean" closure as described in 35 IAC 725.328(b)? See item 6(F)(i) for identified RCRA units.

If so:

What steps shall be/has been taken to demonstrate that the groundwater has not been contaminated? Provide data regarding installation and design of existing groundwater monitoring well system.

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- Does Keystone intend to conduct any further soil testing (beyond that done for the August 26, 1987 report) to demonstrate that the soil Soils Conposite surrounding and beneath the surface impoundments has not been from indivi contaminated? UNITS
- How does Keystone justify limiting the test parameters for the underlying soil to lead and chromium? A letter dated June 8, 1987 Scott Maid (U.S.EPA) indicated that in four locations Keystone's sludge failed U.S.EPA's delisting criteria for organics.
- How does Keystone propose to establish and apply clean up levels for the soil? For the groundwater?
- Demonstration of "clean" closure can be included with RCRA closure (e) plan proposal.

What is Keystone's justification for exempting the equipment to be used in the lime stabilization process (including the lead precipitation tank and the 24 hour retention basin) as RCRA treatment units?

The following comments relate to Keystone's proposal to landfill the lime stabilized sludge:

State permit application for development and operation of the lime stabilization sludge treatment and disposal unit should be submitted with RCRA closure plan proposal. See enclosed technical packet.

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freat. Proc.

allowed for cls pln only a.

in Final order

b. If an adequate liner and cover are not present, the lime may leach out over a period of time and the heavy metals may again become leachable. Possible mechanisms for the leaching of the lime include percolation of precipitation and groundwater flow through the stabilized sludge. Demonstration of adequate liner can include proposal for placement of new liner, for in-situ recompaction to attain 10⁻⁷ permeability, or additional soil borings and/or soil testing to demonstrate suitability of in-situ materials and their technique permeability.

c. As a liquid special waste landfill, a leachate collection system would be required. - Paint Life.

- d. Placing and compacting the cover on top of the sludge may present difficulties which need to be developed.
- e. Three years of post-closure monitoring will be necessary as well as financial assurance for closure and post-closure care, in order to obtain a State permit.
- f. Submittal to modify existing NPDES Permit should also be considered.

4. Page 8 - Paragraph 2 of the 8/26/87 ERM proposal

Comments pertaining to Statistical Comparison:

- a. What confidence interval was used when making the statistical comparison?
- b. How many replicate values were completed?
- c. Where are actual statistical calculations used to arrive at the conclusion that no significant differences exist between the two (2) presented data sets?
- d. Keystone has not presented a "goodness-of-fit" testing to prove the test is adequate for the intended purpose.
- e. Are all samples selected from the same depth or horizon for a true statistical comparison?

5. Page 9 - Paragraph 2 of the 8/26/87 ERM proposal

Based on reliability of statistical information presented, it is questionable that the facility could reach an accurate conclusion that "soils under the sediments in the Twenty-Four Hour Retention Reservoir, and the various ditches, have not been contaminated with either lead or chromium."

6. Page 14 - Section 3.0 of the 8/26/87 ERM proposal

The facility does not have a groundwater monitoring program that meets the requirements of 35 IAC 725.190 - 725.194.

The following items must be met to fulfill Subpart F requirements:

- Implementation of a groundwater monitoring program as required under a) 725.190(a). The uppermost aquifer underlying the facility has not yet been defined by the facility.
- Development of a groundwater sampling and analysis plan as required b) under 725.192(a).
- c) Quarterly sampling for the parameters required in 725.192(b)(1), 725.192(b)(2), and 725.192(b)(3) for the first year to establish background groundwater quality. Replicate samples for RCRA indicator parameters must be collected from the upgradient well. The initial background arithmetic mean and variance for respective parameters must be calculated for the upgradient wells.
- d) Preparation of an outline of a groundwater quality assessment program as required under 725.193(a). The facility must also keep records as required under 725.194(a).
- Implementation of a sampling program and schedule as required under e) 725.192.
- f) The following items should be submitted in the form of a hydrogeologic report or study:
 - i. Description of geologic setting of the facility
 - ii. Collection of lithologic samples
 - iii. Accurate cross-sections of the facility
 - iv. Accurate aguifer hydraulic properties
 - Field permeability tests ٧.
 - vi. Evaluation of water balance beneath the facility
 - vii. Regional hydrogeologic map depicting
 - Unconsolidated & bedrock formations underlying the facility
 - Aerial extent of geologic formations
 - Major areas of recharge & discharge
 - Groundwater flow direction

viii. Site water table (potentiometric) contour map showing:

- Groundwater contours
- Groundwater Flow directions
- Static water levels
- All monitor well & piezometer locations

- All monitoring wells must be constructed in a manner that maintains the integrity of the monitoring well bore hole and prevents contamination of the samples and groundwater.
- h) IEPA as well as the federal Technical Enforcement Guidance Document (TEGD) require that monitoring wells be constructed of a fluorocarbon resin, stainless steel 316, 304, 2205 or a material equally inert with respect to organic constituents.

According to the facility's April 23, 1987 report entitled "Sediment Sampling and Analysis," it would appear that organic constituents are present in sediments in the North Ditch, Mid Mill Ditch, South Ditch (both halves), Retention Reservoir, North Dredge Pile, South Dredge Pile, and Surface Drainage Ditch. TOX levels are much higher than background values in a number of downgradient monitoring wells.

Based on the above, PVC monitoring wells proposed by Keystone may not meet Agency installation criteria.

- i) The following units have been identified by IEPA field inspectors as RCRA regulated units requiring Subpart F groundwater monitoring:
 - i. North-most Ditch
 - ii. Mid-Mill Ditch
 - iii. North Holding Pond
 - iv. South Holdings Pond
 - v. Aeration Basins
 - vi. Sludge Piles West of North Holding Pond
 - vii. Ditch West of North Holding Pond

Has USEPA approved (per Keystone's August 26, 1987 submittal) the facility's monitoring well installation plan? What use are monitoring wells that are clustered at one particular end of a unit. Why are the above mentioned units not monitored per RCRA requirements?

j) Based on the limited geologic and hydrogeologic information submitted to this Agency, it does not appear that proposed or present monitor well locations are capable of detecting an immediate release of hazardous waste or hazardous waste constituents from the seven (7) Agency identified RCRA units.

7. Page 14 - Paragraph 3 of the 8/26/87 ERM proposal

Keystone states "During our June 12, 1987 conference, Kevin Pierard of the U.S. EPA concurred with the company's proposal that three additional wells be placed around the Retention Reservoir, and that three new wells be installed along the other impoundments."

installed along the other impoundments."

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Does USEPA intend the above mentioned monitoring wells to be used for RCRA purposes? Why were these wells installed? Are these monitoring wells capable of meeting RCRA groundwater monitoring requirements and guidance?

8. Page 15 - Items 1 & 2 of the 8/26/87 ERM proposal

Based on RCRA Subpart F monitoring requirements, the proposed groundwater monitoring schedule is unacceptable.

The facility must establish background groundwater quality utilizing constituents outlined in 725.192. Following background evaluations, the facility must initiate requirements outlined in 725.193. Groundwater monitoring following closure activities, should be based upon the facility's ability to achieve clean closure.

9. The August 26, 1987 ERM proposal adequately demonstrates that the sludge is not RCRA hazardous due to its reactive sulfide content and that no further discussion of this aspect is needed.

VY:jd:3727g/sp,1-5

OCT 0 6 1987

Park Crummer, Attorney
Environmental Enforcement Section
Land and Matural Resources Division
U.S. Department of Justice
Washington, D.C. 20536

Re: Keystone Stool and Wire TLD non 214 est

Dear Mr. Gripmen:

I have complexed my review of the referenced facility's Sediment Treatment Froposal dated August 26, 1927. My comments are enclosed.

This proposal should be revised to address my comments and any comments the Illinois Environmental Protection Agency (IFPA) may have. The revised proposal should then be submitted as a closure plan to the IEPA for review and approval. The United States Environmental Protection Agency will also review the revised plan and transmit any comments to the IFPA for their consideration.

Keystone Steel and Wire should be made aware that the plan must propose a closure design for the relention basin to meet IEPA's polid waste facility requirements.

If you have any questions please call me, at FTS 985-6466.

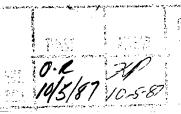
Sincerely,

Kovin ?. Pierard, Geologist Illinois/Indiana Unit

Enclosure

cc: Mark Radell, Orc

WMD:RES:KPIERARD:orobinson:DISK 21/10/5/87



7mB

U.S. EPA COMMENTS August 26, 1987, Sediment Treatment Proposal KEYSTONE STEEL AND WIRE ILD 000 714 881

Lime stabilized pickel liquer sludge from steel finishing operations has been excluded from the hazardous waste requirements of RCRA. However, generators of this waste are obligated to ensure that it is not characteristically hazardous. Analysis of the treated wastes must include reactivity and EP Toxicity tests.

(See pages 4 & 5 of proposal)

Enesco, Inc., has not been audited for reactivity procedures. Enesco is a CLP lab for organic and inorganic analysis, reactivity analysis is considered a special analytical service. Daily Analytical Lab was audited for organic and inorganic procedures and approved by U.S. EPA approximately two years ago. (See page 6 items 1 & 2 of the proposal -- These items are not necessary in this proposal and may be eliminated. If Keystone desires to keep these items they should be corrected.)

Section 2.0 of the proposal must describe procedures which will be followed if a daily composite sample analysis determines that waste treated on that day exhibits a characteristic of hazardous waste.

Statistical comparisons must be conducted using background mean, and soil mean from each individual unit at specific depth. (i.e., background mean compared to mean of south ditch soil samples collected from the 0.0' to 0.5' interval.)
(See page 8 of proposal)

My notes from the last settlement conference indicate that we agreed that Keystone would monitor ground water at the ditch complex quarterly for two years. The plan should state that this monitoring will continue quarterly for two years after clean-closure is certified. (See page 15 item 1 of the proposal)

The proposal must include ground water monitoring well design criteria.

,这个人是不是不是一个人,我们就是一个人,我们就是一个人,我们也不是一个人,我们也不会会的一个人,我们也不会不会的人,也是一个人,也可以是一个人,也可以是一个人, 一个人,我们就是一个人,我们就是一个人,我们就是一个人,我们就是一个人,我们就是一个人,我们就是一个人,我们就是一个人,我们就是一个人,我们就是一个人,我们也是

U.S. EPA will accept the portion of the ground water monitoring program outlined in item 2 on page 15 of the proposal for the retention basin, however, Keystone must also comply with any applicable Illinois solid waste facility ground water monitoring requirements.

Table 2 must include total chromium and lead concentrations for soils underlying the sediment in the surface drainage ditch and the north ditch. Statistical comparisons of these results must also be included in the revised proposal.

KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

200 East Randolph Drive Chicago, Illinois 60601 Telex 25-4361

312 861-2000

Washington Office 655 Fifteenth Street, N.W. Washington, D.C. 20005 202 879-5000

To Call Writer Direct 312 861- 2412

Denver Office

1999 Broadway Denver, Colorado 80202

303 291-3000

BY FEDERAL EXPRESS

August 26, 1987

Mark E. Grummer, Esq.
Environmental Enforcement Section,
Land and Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20530

Virginia I. Yang Attorney, Enforcement Program Illinois Environmental Protection Agency 2200 Churchill Road Springfield, Illinois 62706



Re: United States v. Keystone Consolidated Industries (C.D. Ill.; No. 86-1212)

Dear Mark and Virginia:

I am submitting the enclosed Sediment Treatment Proposal on behalf of Keystone Consolidated Industries as a proposal to settle the injunctive issues in the above-captioned litigation. This proposal has been modified since our last submission on June 11, 1987 to reflect Keystone's responses to questions raised at the June 12, 1987 settlement negotiation session in Chicago as well as additional test results that have been subsequently obtained.

KIRKLAND & ELLIS

Mark E. Grummer, Esq. Virginia I. Yang August 26, 1987 Page Two

As soon as you and the appropriate U.S. EPA and Illinois EPA officials have reviewed this proposal, I would appreciate it if we could schedule another settlement meeting as soon as possible.

Sincerely,

Andrew R. Running

ARR:pad Enclosure

cc: Marc M. Radell (by Federal Express)
 Kevin Pierard (by Federal Express)
 Chris Liebman (by Federal Express)
 (all w/enclosure)

8

August 26, 1987, Sediment Treatment Proposal KEYSTONE STEEL AND WIRE ILD 000 714 881

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(See pages 4 & 5 of proposal)

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Table 2 must include total chromium and lead concentrations for soils underlying the sediment in the surface drainage ditch and the north ditch. Statistical comparisons of these results must also be included in the revised proposal.



KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

Denver Office 1999 Broadway Denver, Colorado 80202 303 291-3000 200 East Randolph Drive Chicago, Illinois 60601 Telex 25-4361

312 861-2000

Washington Office 655 Fifteenth Street, N.W. Washington, D.C. 20005 202 879-5000

To Call Writer Direct 312 861- 2412

BY TELECOPY

June 11, 1987

Mark E. Grummer, Esq. Environmental Enforcement Section, Land and Natural Resources Division U.S. Department of Justice Washington, D.C. 20530

Re: United States v. Keystone Consolidated Industries, No. 86-1212 (C.D. Ill.)

Dear Mark:

The attached report prepared by Keystone's environmental engineering consultant, James W. Polich of ERM - North Central, Inc., details the sediment treatment program Keystone proposes to settle the United States' claims for injunctive relief. (Keystone will also propose minor additions to the current groundwater monitoring program, which Dr. Robert Aten will detail on Friday.) In this letter I will briefly explain Keystone's reasons for offering this settlement proposal.

As you know from our telephone conversations over the past two months, after reviewing the sediment test data compiled in Dr. Aten's April 20, 1987 report with its toxicology consultant, Keystone concluded that the only test results raising credible human health concerns were the EP Tox lead readings at the 24-hour retention basin and along the narrow drainage path leading to the south ditch. We accordingly requested, on numerous occasions, an opportunity to meet with appropriate U.S. EPA officials in Washington to present our case for delisting all of the impoundments at issue in the litigation following implementation of an agreed plan for the lime stabilization of the soluble lead at those two locations.

KIRKLAND & ELLIS

Mark E. Grummer, Esq. June 11, 1987 Page Two

While Keystone stands by its original assessment of the sediment test data, your reports of the unwillingness of the Agency to consider such a delisting presentation (based on

abstract policy considerations having nothing to do with site toxicology) have convinced Keystone to expand its treatment proposal to cover all impoundment sediments. Keystone is willing to incur these substantial additional costs because lime stabilization of all the sediment will resolve any further debate about the applicability of the "mixture rule" to the sediment. Under the delisting of KO63 sludge codified in 40 C.F.R. §261.3(c)(2)(ii), "[w]aste pickle liquor sludge generated by lime stabilization of spent pickle liquor from the iron and steel industry" is a non-hazardous solid waste unless and until it is shown to actually exhibit the characteristics of a hazardous waste.

I hope that Keystone's latest proposal will prove to be the basis for reaching a settlement of the injunctive relief issues during our meeting in Chicago this Friday. I also trust that Keystone's willingness to accept substantial additional treatment commitments (not dictated by any credible human health concerns) will be given heavy weight by the Agency in the penalty negotiations that would follow.

I am looking forward to our meeting this Friday at 10:00 a.m.

Sincerely,

Andrew R. Running

ARR:pad Enclosures

cc: Roger Field, Esq. (by messenger)
William Muno (by messenger)
Kevin Pierard (by messenger)
Marc M. Radell, Esq. (by messenger)
David Jansen (by Federal Express)
Chris Liebman (by Federal Express)
(all w/enclosures)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

JUN 8 1987

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

Mr. Mark Grummer, Esq.
Environmental Enforcement Section
Land and Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20530

Subject: Keystone Consolidated Industries

Dear Mark:

We have finished our review of the information submitted by Keystone Consolidated Industries for its facility in Peoria, Illinois. Based on the evaluation of EP leachate and total constituent data for the wastewater treatment sludges (EPA Hazardous Waste No. F006) contained in the waste management units at this facility, we have concluded that it is extremely unlikely that this waste could be granted an exclusion from regulation under 40 CFR Part 261.3 or the lists of hazardous wastes in Subpart D of Part 261. Our evaluation indicates that the waste has the potential to leach high levels of lead, chromium,

Specifically, Keystone submitted EP leachate and total constituent data for waste contained in eight locations at the Peoria facility. A list of waste locations and constituents of concern are presented in Table $1.\frac{1}{2}$ /

selenium, and several organic constituents into ground water.

^{1/}Our decision is based on an analysis using the vertical and horizontal spread (VHS) model (see 50 Federal Register 48886, November 27, 1985). We use this model to predict constituent concentrations in the ground water at a hypothetical compliance point located 500 feet downgradient from the site. The VHS model uses the waste volume and maximum leachate concentrations as inputs to determine the amount of dilution that may occur in an underlying aquifer. For Keystone, we assumed co-disposal of the wastes of the different areas and assumed a maximum waste volume of at least 8,000 cubic yards. The results of the model (i.e., the calculated compliance-point concentrations) are compared with the Agency's level of regulatory concern for each constituent.

The submitted data demonstrate that the waste may pose a threat to human health and the environment according to delisting The samples described in Table 1 were taken over a substantial geographic area and are presumed to be representative of the waste. The test data from these samples do not support Keystone's contention that the sludges are non-hazardous. We are extremely concerned about the Retention Reservoir, the final resting point of the waste. In fact, the average leachate concentration of lead in the reservoir samples demonstrated the characteristic of EP toxicity for lead (i.e., the average of 9.87 mg/l exceeded the EP toxicity standard of 5 mg/l for lead). There has been no evidence presented to suggest that other testing to evaluate the hazardous waste characteristics of these impounded wastes had been performed by Keystone at any other time. addition, sulfide levels in the sludges for six locations exceeded our interim threshold for sulfide of 500 ppm. $\frac{2}{}$ The submitted data have failed to demonstrate that the sludges at this facility are not hazardous. In fact, every portion of the system failed our analysis for either sulfides or lead. Four locations also failed our analysis for organics.

In addition, based on a preliminary review of the ground water monitoring data, we determined that the waste has affected the aquifer. Specifically, we are concerned with potential contamination of the aquifer with halogenated organics and lead. Delisting protocol requires that facilities managing wastes on-site have a ground water monitoring system in compliance with 40 CFR Part 264 or 265.3/ It is our policy to require at least four quarters of ground water monitoring data before we will consider a delisting for a waste managed in an on-site, waste management unit.

^{2/} See internal Agency memorandum dated July 12, 1985 entitled "Interim Thresholds for Toxic Gas Generation" (in EPA public docket).

Additional wells would be needed for the North Ditch, Mid Mill Ditch, and the abandoned ditch (culvert). The petitioner would be requested to identify which halogenated organics were present in the ground water and the origins of these constituents.

Table 1
Constituents of Concern for Keystone Consolidated Industries

Waste Location	Constituents of concern	Number of Samples (of total) that exceed Delist- ing Standard for the Constituent	
North Ditch	Sulfides	9 of	9
Mid Mill Ditch	Lead Tetrachloroethylene Sulfides	l of l of 4 of	5
South Ditch (north half)	1,1-Dichloroethane Sulfides	2 of 4 of	
South Ditch (south half)	Sulfides	4 of	4
North Dredge Sediment Stockpile1/	Lead Benzo(a)anthracene Benzo(a)pyrene	3 of 1 of 1 of	6
South Dredge Sedi- ment Stockpile1/	Benzo(a)anthracene Sulfides	l of 2 of	
Surface Drainage Ditch	Lead Chromium Selenium	3 of 2 of 1 of	6
24-Hour Retention Reservoir	Chromium Lead Sulfides	11 of 16 of 8 of	18

^{1/} We usually require that the Oily Waste EP (OWEP) be used as the leachate protocol for wastes that contain greater than one percent oil and grease. Several of the sampled wastes contained greater than one percent oil and grease. Because the OWEP includes an organic digestion step, the leachate concentrations are expected to be higher than EP leachate concentrations. Thus, since even EP leachate concentrations are exceeding delisting standards, we believe that the EP data may be used as a basis for petition denial.

Thus, in terms of delisting criteria, the waste contained in these locations is hazardous and should be treated as such. If you have any questions concerning the review process, please contact me at (202) 382-4783.

Sincerely,

Scott J. Maid

Long. Mais

Environmental Protection Specialist Permits and State Programs Division

cc: Robert Aten, Keystone

Andrew Running, Esq. (Kirkland & Ellis)

D. Jansen, Illinois EPA

C. Liebman, Illinois EPA
K. Pierard, Region V /

M. Radell, Region V

K. Palmer, SAIC



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

8 JAN 1987

Andrew Running, Esg. Kirkland & Ellis 200 East Randolph Drive Chicago, Illinois 60601 OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

Re: United States v. Keystone Consolidated Industries

Dear Mr. Running:

I have completed my review of the sampling/testing plans submitted by Keystone for the wastewater treatment sediments impounded at Keystone's Peoria facility. I find Keystone's most recent plan to be complete and of sufficient detail to support a delisting petition.

In the teleconference on December 31, 1986 in which these plans were discussed, I noted that I would prefer to have the sediments tested for the presence of phenolic (i.e., acid-extractable) compounds, as the sediments are likely to contain oil and grease which may produce phenolic compounds when degraded. It was suggested by Keystone that a screening test for total recoverable phenols be run first, to a detection limit of 0.1 ppm, in order to establish that the levels of these compounds in the sediments are very low, which Keystone believes to be the case. If these screening tests show that total recoverable phenols do not exceed 0.1 ppm in the sediments, then the Agency will not require gas chromatography/mass spectroscopy (GC/MS) testing for the acid-extractable fraction of the sediments to be submitted with the delisting petition.

I hope that Keystone will be able to initiate sampling very soon, as time is of the essence in Keystone's case. If you have any questions concerning the petition review process, please contact me at (202) 382-4783.

Sincerely,

Scott J. Maid, E.P.

And J. Mais

Environmental Protection Specialist Permits and State Programs Division

cc: Mark Grummer, U.S. DOJ
Chris Liebman, Ill. PCB
Dave Jansen, Ill. PCB

Kevin Pierard, EPA Region V
Mark Radell, EPA Region V
Les Phillips, Keystone
Robert Aten, Keystone



(217)782 - 5544

12 11 15 11 W

April 30, 1987

MAY

U.S. EPA, REGION V

Mr. Basil G. Constantelos, Director Waste Management Division U.S. Environmental Protection Agency Region V 230 South Dearborn Street Chicago, Illinois 60604

ILD #00071488 \

Re: Keystone Consolidated Industries, Inc. Docket RCRA V-W-85-R-36 Peoria County/LPC #14300501

Dear Mr. Constantelos:

MAY 01 1987

U.S. EPA, REGION V WASTE MANAGEMENT DIVISION OFFICE OF THE DIRECTOR

MAY 0 1 1987

SOLID IVASIL DIMINUH

Dear Mr. Constantelos:

U.S. EPA, REGION V

This Agency hereby requests that the enclosed inspection report dated March 19, 1987 concerning interim status standards for hazardous waste treatment, storage and disposal facilities under 35 Ill. Adm. Code 725, or 40 CFR 265, is incorporated into the pending enforcement action against Keystone Consolidated Industries, Inc. It is our understanding that on July 3, 1986 an Administrative Order against Keystone was withdrawn and that the case was referred to the United States Department of Justice for further action before the Federal District Court for the Central District of Illinois. We believe the enclosed document would be relevant to that proceeding because the same units (i.e. surface impoundments and ditches) are involved.

We request that Virginia Yang, enforcement attorney, is notified of ongoing discussions in this matter. Please provide Ms. Yang with copies of all pleadings and orders issued in this case. If you need further information, please contact her at 217/782-5544. Thank you.

Very truly yours,

Gang P. King Gary P. King Senior Attorney

Enforcement Programs

GPK:mm

Attachment

cc: Bill Miner, USEPA (w/o exhibits) Mary Gade, USEPA (w/o exhibits) John Rittenhouse, USEPA (w/o exhibits) REGELVEN

MAY 0 5 1987

U.S. EPA, REGION V

Mark Radell (w/o exhibits)
Jodie Traub, USEPA (w/o exhibits)
Bill Child (w/o exhibits)
Bill Radlinski (w/o exhibits)
Glenn Savage (w/o exhibits)
Dave Jansen (w/o exhibits)
Harry Chappel (w/o exhibits)
Virginia Yang (w/o exhibits)
DLPC/Div. File (w/o exhibits)
DLPC/CMS (w/o exhibits)
Docket Control



217/782-6761

Refer to: 1430050001 -- Peoria County

Bartonville/Keyston

ILD000714881 Compliance File

April 30, 1987

Keystone Steel and Wire Company

Attn: Dale Bennington

7000 South Adams

Bartonville, IL 61641

Dear Mr. Bennington:

On March 19, 1987, your facility was inspected by John Tripses of the Illinois Environmental Protection Agency. The purpose of this inspection was to determine your facility's compliance with 35 Illinois Administrative Code, Part 722, 703, and 725, Subpart(s) A, B, C, D, E, G, I, and K. At the time of this inspection, apparent violations found in previous inspection(s) were again observed.

For your information, a copy of the inspection report is enclosed. Should you have any questions regarding the inspection, please contact John Tripses at 309/693-5462.

Sincerely,

Harry A. Chappel, P.E., Acting Manager

Facilities Compliance Unit Compliance Monitoring Section

Division of Land Pollution Control

HAC: JT/WMS:mab/2349q/28

Enclosure

cc: Division File Peoria Region V. Yang Micheal Severns

D. Jansen

Mark Radell (w/o exhibits)
Jodie Traub, USEPA (w/o exhibits)
Bill Child (w/o exhibits)
Bill Radlinski (w/o exhibits)
Glenn Savage (w/o exhibits)
Dave Jansen (w/o exhibits)
Harry Chappel (w/o exhibits)
Virginia Yang (w/o exhibits)
DLPC/Div. File (w/o exhibits)
DLPC/CMS (w/o exhibits)
Docket Control



DATE:

April 7, 1987

TO:

Gary King, Enforcement Services

FROM:

John Tripses and David Jansen, DLPC-FOS, Central Region

SUBJECT:

143 005 0001 - Peoria County

Bartonville/Keystone

ILD000714881 Enforcement

ENFORCEMENT DECISION GROUP REFERRAL

An ISS inspection was performed at Keystone Steel and Wire Co. of Bartonville, Illinois, on March 19, 1987. A copy of the inspection report is attached. Keystone has already been referred to the USEPA for enforcement. The case is at the Department of Justice. During the March 19, 1987 inspection, the following apparent violations were observed.

Section 722.134(a):

The facility had not labeled with accumulation dates or "Hazardous Waste" two trailers containing arc dust (K061) and one barrel containing spent 1,1,1-trichloroethane (F002) in the South Works accumulation area. The facility was not complying with Section 725 Subpart D and Section 725.116.

Section 703.121:

The facility was storing spent pickle liquor (K062) in a surface impoundment without a RCRA permit.

Section 703.150(a):

The facility was storing spent pickle liquor (K062) in a surface impoundment without a RCRA permit.

Section 725.113(b):

The facility did not have a written waste analysis plan.

Section 725.115(b):

The facility did not have a written inspection schedule.

Schedo

Section 725.115(d): The facility did not have an inspection log.

Section 725.116(a):

The facility has not trained all personnel involved in hazardous waste management.

Section 725.116(b):

The facility does not train all personnel involved in hazardous waste management within six months of their date of employment or assignment to a position requiring them to manage hazardous waste.

143 005 0001 - Peoria County Bartonville/Keystone ILD000714881 Enforcement Page 2

Section 725.116(c): The facility has not conducted annual reviews

for all personnel involved in hazardous

waste management.

Section 725.116(d): The facility does not have the training

documents and records.

Section 725.152(a): The contingency plan does not describe

actions required for release of spent pickle

liquor (K062) paint waste (D001), and

spent perchloroethylene (F001).

Section 725.152(c): The contingency plan does not describe

arrangements agreed to by local agencies.

Section 725.152(e): The contingency plan does not include a

physical description of and a brief outline

of the capabilities of the emergency

equipment.

Section 725.153: The contingency plan has not been submitted

to local agencies.

Section 725.155: The facility has only one emergency

coordinator. There is no one to replace

him when he is on vacation.

Section 725.173(b): The operating record does not include the

description and quantity of the ammount of spent pickle liquor (K062) stored in the surface impoundment, the location of the spent pickle liquor (K062) stored in the surface impoundment, and copies of inspection

records and groundwater monitoring reports.

These violations remain unresolved from previous inspections. FOS requests that a copy of the March 19, 1987 inspection report be forewarded to the USEPA so that these continuing apparent violations can be included in the current enforcement action.

Attachment

cc: -Division Files

-Peoria Region Files

-G. Savage

-D. Jansen

-V. Yang

poto

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 86-1212

KEYSTONE CONSOLIDATED INDUSTRIES,

INC.,

Judge Mihm

Defendant.

STATUS REPORT OF THE UNITED STATES

The United States submits this status report in preparation for the telephone status conference scheduled for January 23, 1987. Counsel for Keystone know of the contents of this report and agree that it is an acceptable summary.

While continuing to maintain the legal positions they asserted at the August, 1986 preliminary injunction hearing, the parties, since the last status conference, have continued efforts at settlement. During November and December, 1987 the United States, Keystone and the State of Illinois had numerous conferences concerning Keystone's plans to sample and analyze materials in' Keystone's surface impoundments. These discussions delayed the start of sampling, but should speed ultimate resolution of the United States' injunctive claims.

The RCRA regulatory scheme requires Keystone to
"close" the impoundments unless Keystone delists the materials
in the impoundments by demonstrating that they are not hazardous.

Delisting appears to be less costly, and Keystone at present is
pursuing that option.

Delisting petitions must be submitted to EPA Headquarters in Washington, D.C. The parties have attempted to make certain in advance that Keystone's sampling and analysis program will be sufficient to support the petition. Keystone submitted its plan to EPA for review, and EPA suggested modifications which Keystone incorporated. Although such advance review is not customary, the parties believe it will speed resolution of this action.

Keystone began its sampling on approximately January 19, 1987. The sampling should be complete and the samples sent for laboratory analysis by approximately February 13, 1987. Keystone expects to receive and validate the results within approximately 6 weeks thereafter.

Keystone will then submit the sampling results to EPA in support of Keystone's delisting petition. Within approximately 30 days thereafter EPA expects to give a preliminary and informal assessment of whether the delisting petition is likely to succeed.

If EPA makes a tentative decision to grant the delisting petition, it would publish a proposed decision to that effect in the Federal Register and accept public comments. After evaluating any comments and any additional information received, EPA would then publish a final decision in the Federal Register. If FPA finally grants the petition, Keystone must then obtain delisting from the State of Illinois.

Unless the delisting petition is successful, the United States' position is that Keystone must conduct closure of the impoundments as required by RCRA regulations.

In this action the United States seeks permanent injunctive relief and civil penalties. With respect to injunctive relief,

Keystone's current sampling and delisting efforts may help

determine the form of such relief even if settlement efforts fail.

With respect to penalties, the United States has made a settlement offer to which Keystone has not yet responded.

Keystone's position is that it will not respond to such an offer without knowing the expense of the injunctive relief to be required, which depends in part on the success of the delisting petition. The United States' view is that the cost of injunctive relief is not a principal determinant of an appropriate civil penalty.

Under these circumstances the United States is willing to withhold further discovery or other proceedings until EPA makes its preliminary, informal assessment of whether the delisting petition is likely to succeed. Under the above tentative schedule this will occur by approximately the end of April, 1987.

Respectfully submitted,

F. HENRY HABICHT II
Assistant Attorney General
Land and Natural Resources Division
United States Department of Justice

GFRALD D. FINES United States Attorney Central District of Illinois

L. LEE SMITH Assistant United States Attorney 100 N.E. Monroe Street Peoria, Illinois 61602

Make Collins MARK E. GRUNNER

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Land and Natural Resources Division U.S. Department of Justice Washington, D.C. (202) 633-4170

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Agency, Region V 230 South Dearborn Street Chicago, Illinois 60604 (312) 886-4397

OF COUNSEL

FRANCES McCHESNEY Office of Enforcement and Compliance Monitoring U.S. Environmental Protection Agency 401 "M" Street, S.W. Washington, D.C. 20460

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Status

Report of United States was served by overnight delivery on

January 20, 1987 on:

James Schink Andrew R. Running Kirkland & Ellis 200 East Randolph Drive Chicago, Illinois 60601

MARK E. GRUMMER

Made En Granne

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BY FEDERAL EXPRESS

JAN 21 1987

January 15, 1987

U.S. EPA, REGION V WASTE MANAGEMENT DIVISION HAZARDOUS WASTE ENTORIEMENT SOLVE

Mark E. Grummer, Esq. Environmental Enforcement Section, Land and Natural Resources Division U.S. Department of Justice Washington, D.C. 20530

United States v. Keystone Consolidated Industries

Dear Mark:

I am enclosing a copy of Dr. Aten's January 12, 1987 letter to me, which confirms the final revisions to Keystone's sediment sampling and testing plan that were agreed to by Keystone and U.S. EPA during our December 31, 1986 telephone conference. The plan is now being implemented.

Sincerely,

Andrew R. Running

ARR: pad Enclosure

cc: Mr. David Jansen

Mr. Chris Liebman

Mr. Scott Maid

Mr. Kevin Pierard

Marc M. Radell, Esq.

(all w/enclosure)

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Robert E. Aten, Ph.D. Senior Geologist

James H. Keith, Ph.D. Senior Ecologist

Richard L. Powell, Ph.D. Senior Geologist

John L. Bassett Geologist - Hydrologist

January 12, 1987

Mr. Andrew Running Kirkland & Ellis 200 East Randolph Drive Chicago, Illinois 60601

Re: Keystone Steel & Wire, Analytical parameter changes for sediment analyses.

Dear Mr. Running:

The December 17, 1986 Analytical Parameter Memorandum was revised during a conference call with the EPA. The analyses we will be performing on the sediment samples include those listed in the memorandum, with the following exceptions:

- 1) Addition of a phenol screening test with a 0.1 ppm detection limit.
- Addition of acid extractable semivolatile organics if the phenol screening test is positive. The specific compounds are 2-chlorophenol; 4-methylphenol; 2-methylphenol; 2-nitrophenol; 2,4-dimethylphenol; 2,4-dichlorophenol; 4-chloro-3-methylphenol; 2,4,6-trichlorophenol; 2,4,5-trichlorophenol; 2,4-dinitrophenol; 4-nitrophenol; 2-methyl-4,6-dinitrophenol; and pentachlorophenol.
- Deletion of tin, zinc, and copper from the EP Tox and total metals analyses.

Please contact me if you have any questions regarding the parameter list modifications.

Sincerely,

Robert E. Aten

cc: L. Phillips

jt